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A HISTORY OF SCOTLAND





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A HISTORY OF SCOTLAND

FROM

THE ROMAN OCCUPATION

BY

ANDREW LANG

IN FOUR VOLUMES

VOL. IV.

WITH A FRONTISPIECE

AND INDEX TO COMPLETE WORK

.....

.....

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PREFACE.

WITH this volume ends my 'History of Scotland,' closing when the last armed attempt to make Scotland once more an independent and separate nation was broken at Culloden. The fortunes of the country after that disaster must be left to the energy of some other hand.

The book is a "general history" of the events of seventeen centuries, and I cannot suppose that it does not contain errors to be joyously detected by specialists in various fields of research. I have never seen a History which was impeccable, and though I have throughout distrusted tradition, and endeavoured to discover the most original and authentic sources of information, it is not to be dreamed that my researches have been exhaustive.

Sir Walter Scott gave his assent to the saying that, "If the Scots do not prefer Scotland to truth, they certainly prefer Scotland to inquiry." Human nature prefers the good old story learned at school, or from tradition, to inquiry, with new results. Yet it is not the province of History to "preserve our illusions." I humbly venture to think that, even in histories for schools, it would be wise to let the pupils understand something about the nature and sources and relative credibility of historical evidence. Even in some passages of this volume it may be found that Memoirs written by their authors, mainly from memory, long after the events narrated, and that oral traditions, late and destitute of quoted authority, have been preferred by

our historians to accessible contemporary despatches and other written records. I hope that the character of the last Stuart Prince of Wales born in England is here drawn with a measure of truth which has hitherto been withheld—partly from prejudice, partly from lack of many documents now accessible.

The Scottish History Society, meanwhile, has done much admirable work in publishing valuable manuscripts, and my thanks are due to Mr Blaikie, Mr Fitzroy Bell, and others for the 'Itinerary of Prince Charles,' the 'Memorials of Murray of Broughton,' and Bishop Forbes's 'Lyon in Mourning,' while Sir Hubert Jerminham, K.C.M.G., kindly lent me his original manuscript of Captain Daniel's account of his adventures in 1745-46. I owe much to Dr Mackinnon's 'History of the Union between England and Scotland,' and to Mr Scott of St Andrews University for permission to read in MS. some Scottish chapters of his valuable work on commerce. Other debts are acknowledged in the proper places; but I have particularly to thank Miss Josephine MacDonell of Keppoch for her assistance in elucidating certain episodes in the battle of Culloden, and the Rev. John Anderson of the General Register House for his discovery of new and important evidence.

To Anthony Maxtone-Graham, Esq. of Cultoquhey, I must express my grateful thanks for permission to produce his portrait of James VIII. and III., "the Old Pretender." Even the Old Pretender was once young and of a goodly presence.

It would be ungrateful, indeed, not to record my obligations to Miss E. M. Thompson for her transcripts from MSS. in the Record Office and British Museum; to Mr Murray, M.A., St Andrews, for his aid in correcting proof-sheets and references; and to Messrs Maitland Anderson and Smith of the University Library, St Andrews, for their unfailing kindness.

If there is a portion of this work which the author

would more gladly rewrite than another, it is the part which deals with the Reformation. Here tradition has been little checked in her vagaries. For example, my own account of the last days of James V. (i. 455) omits the fact, which I have since ascertained from the MS. *Liber Emptorum*, that James passed nearly a week of his last fortnight at Linlithgow, where his wife was expecting her confinement. He did not desert her till his fatal illness began. I have also found (see i. 459-468) that Arran, while he was accusing Cardinal Beaton of falsehood, as, later, of forgery, was deposing the Archbishop of Glasgow from the Chancellorship, and giving the keys to Beaton. The evidence is in the MS. Register of the Privy Seal. Again (ii. 64), I have left it an open question as to whether Arran (Châtelherault) did or did not write a letter in which he submitted to Francis and Mary. But later researches in French Foreign Office archives and other sources leave me in little or no doubt that the letter (January 25, 1560) was a forgery procured by Mary of Guise (see my 'John Knox and the Reformation,' pp. 280, 281. Longmans: 1905).

Again (ii. 59 and note 63), I was misled as to the contents of Kirkcaldy's letter (July 24, 1560) about the terms of the Treaty of Leith by Mr Joseph Bain's Calendar. The facts will be found in 'John Knox and the Reformation' (pp. 140-150). Calendars are useful for reference, but are not otherwise to be implicitly accepted without reference to the original documents. It is my hope, if ever I have the opportunity, to correct the whole work in the light of such criticisms as commend themselves by their justice and accuracy.

As is usual, new information comes in too late for the author's purpose. Thus, for the history of 1745-46, Kirsch's materials from the Vatican Archives have reached me too late. (*Historisches Jahrbuch*, XXVII. ii., iii. München: 1906.)

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A HISTORY OF SCOTLAND FROM THE ROMAN OCCUPATION.

CHAPTER I.

PARLIAMENTARY AFFAIRS. VICTORY AND DEATH OF DUNDEE.

1689.

WITH occasional exceptions, as under Charles I. (1640-1641), Scotland had hitherto been almost free from the peculiarities of constitutional government. The king, or whatever party chanced to be in power, briskly hurried measures through Parliament by means of the packed Committee called the Lords of the Articles. There had been little debating, and no waste of time in verbal wranglings. On the other hand, when the Convention was declared to be a Parliament by William III. (June 5, 1689), all the elements which make for parliamentary delay were introduced by politicians eager for parliamentary reforms. The leading statesmen may be briefly characterised.

The Privy Council selected by the king included the Duke of Hamilton, who was appointed Royal Commissioner. Hamilton inherited the wayward and unstable character of a house demoralised by long expectancy of the Crown. He was anxious himself to drive time, and especially to avoid the full restoration of the Kirk. The unstable Atholl went to Bath: one of his sons was in prison for Jacobite leanings; another, though inclined to the winning side, was under suspicion. Argyll had military duties

which claimed his attention, and was peculiarly detested by the extreme Whigs. Crawford was appointed President in the Parliament: he was very poor, very presbyterian, and his letters, almost alone among those of the statesmen of the period, are rich in the texts and unctuous style of an older generation. Yet he was not a patron of the Cameronian Remnant. Office and the spoils of office were what he desired. He was on bad terms with Hamilton. The Secretary in Scotland was Melville, raised to an earldom by William. He had been of the Royal side at Bothwell Brig, but found it convenient to go to Holland at the time of the Rye-house Plot. In the correspondence of Melville we find him lectured, warned, and threatened by Polwarth and others.

Polwarth, who had a seat in the Privy Council, was as fond of public speaking, as pragmatic, as much opposed to authority, as he had been when ruining the expedition of Argyll. Sir James Montgomery of Skelmorley, also of the Privy Council, was his parliamentary ally. Both were great in "the Club," a set of malcontents who met in a tavern, arranged their schemes in private, and, as being practically an organised and permanent Committee, commanded the majority of votes. They then spent the first part of the session (June 5 to August 2) in opposing the king, in demanding constitutional privileges for the House, and in threatening to hang the officials whom they most detested, especially these old enemies of Claverhouse, Sir James Dalrymple and his son, Sir John, who was Lord Advocate. The Solicitor-General, Sir William Lockhart, was of course a representative of Government, and an opponent of the Club. In the modern slang of the House, Parliament was guided and dominated by a "cave"—namely, the Club—to which rallied disappointed place-hunters, such as Sir James Montgomery, who, disappointed in his hope of the Secretaryship, soon engaged in a treasonable plot. In Melville's correspondence, which is copious, we meet with the letters of all these men, full of their various humours. The moment when William was not firmly settled on his throne was favourable to agitation, liberal rather than patriotic.¹

During part of the two months which witnessed the wrangles of the Estates, the castle, under the Duke of Gordon, endured a kind of burlesque siege, and was the centre of trivial conspiracies, exaggerated by Hamilton in hopes of diverting the assailants of prerogative from their attacks on Government. Permission to torture some of the suspected cavaliers was granted, but the thumbscrew

does not seem to have been needed. They had little to confess, and that little they told freely. All this while the great Dundee was moving in the North, but his actions are scarcely touched on in the contemporary correspondence of men absorbed in votes, Bills, Acts, and amendments. The western Whigs, armed and organised, allowed the Cameronian regiment, under Angus, to be recruited from their numbers, not without many searchings of hearts and many pious adjurations to soldiers who were serving an uncovenanted prince. They petitioned the Estates to renew the Covenants and act on the advice of a General Assembly which should, of course, drive out conformist ministers, who were three-fourths of the placed ministers of the country, or more, according to Crawford's reckoning. If a General Assembly were held, these men would not be for pure presbyterial government. Therefore they must first be expelled, and later, this was done on a large scale: meanwhile beginnings were made in individual cases. The country was so far from being Williamite, that the Militia were not to be trusted—that is, the Militia as distinguished from the "fencible men." Of the Acts passed by the Estates at this time, hardly one was "touched" with the sceptre by the Commissioner. They were therefore void, and little need be said about them.

As the affairs of the Kirk had been the chief occasion of the recent discontents, it might have been expected that the new Parliament would have begun by expelling the preachers who conformed to prelacy and refused to read from the pulpit the order of April 13, denouncing James and enjoining prayers for William. But the ardent souls of the Club desired to seize the opportunity of a king still unsettled on his throne, and to bring the Estates up to the constitutional level of the Mother of Parliaments at Westminster.

On June 17 Hamilton communicated his instructions as to the grievance of Lords of the Articles. These, according to the king's wish, should be chosen, eight out of each Estate, *plus* the officers of State. The Estates voted against the inclusion of officers of State, and, when Hamilton would not accept their views, sent a written remonstrance to the king. They wished, in fact, to conduct all business "in plain Parliament," and to be freed from the constraints of the Lords of the Articles. On April 13, 1689, they had voted that "the Committee called the Articles is a great grievance to the nation, and that there ought to be no Committees

of Parliament but such as are freely chosen by the Estates to prepare motions and overtures that are first made in the House." This was a stretch of power which a Scots Parliament had never enjoyed except during the weak years of Charles I. The advanced party were the more anxious to secure these powers, as the Duke of Gordon, on June 13, to the scorn and contempt of James's friends, surrendered Edinburgh Castle. If William was to be pressed by the Club, it could be done with most success before he had overcome armed opposition. "I see plainly," wrote Sir John Dalrymple to Melville the Secretary, "they resolve to necessitate the king to do all things by the advice of the Parliament, and to fall upon any that he shall employ" (such as Dalrymple himself) "without their approbation."²

William offered concessions. On June 18, Hamilton, as Royal Commissioner, introduced a Bill, not for abolishing but for regulating the election of the Lords of the Articles. There should be twenty-four members in the Articles, the Lords choosing eight out of their Estate, as also the Barons and Burghs out of theirs. These Lords of the Articles should not prevent the House from considering any matter, even if its consideration had been rejected by the Twenty-four. The Act as to the Articles passed in the first Parliament of the Restoration was to be rescinded, but officers of State were to remain as *ex officio* members of the Articles, over and above the Twenty-four.³

The House kept rejecting this compromise, and insisting on a return to the state of affairs as it was in 1640. On June 26 they stated the nature of their objections. A *constant* Committee, like that proposed by William, was "a great grievance." Delay, they said, was in the very nature of the Articles: nothing could be proposed till the Lords of the Articles had first considered it, even though, by the compromise, their decision was not to be final. The compromise fixed the number of members in the Committee, which, it was argued on the other side, ought to be left to the discretion of the House in each case. The House would not acquiesce in the necessary presence of the officers of State in the Committee.⁴

On July 4 Hamilton proposed another compromise, raising the number of members from each Estate to eleven, and permitting monthly or even more frequent re-elections.⁵ In the following year the House obtained all its desire, and was a free Parliament for seventeen years, after which it ceased to exist. Hamilton had tried,

vainly, to draw the trail of Kirk reform across that on which the malcontents were in full cry, but he failed (July 10). An attack was now made on Argyll, and on Sir John Dalrymple, for tampering with their instructions when they went to offer the crown to William. Skelmorley also proposed to accuse Sir James Dalrymple of giving the king certain advice,—“*he* will lay it at Lord Melville’s doors, and we shall be quit of both.” Dalrymple was for a dissolution,—“the longer we sit, and the more concessions, the worse.”⁶ Bets of five to one were laid that Dalrymple would be sent prisoner to the castle, where the unhappy Balcarres was again immured.⁷ By July 13, after some four weeks’ session, no business whatever had been done: how unlike the proceedings of the Reformation convention of 1560! Hamilton (July 13) wrote that without his intervention the layers of odds on Dalrymple’s imprisonment would have won their bets.⁸ It is to be remembered that Mr Renwick, the last martyr of the Covenant, had been condemned while Dalrymple was King’s Advocate. Though himself a sufferer under Claverhouse, he was hated by friends of the Covenant, and also by the older noblesse, while his opinion of the clans was so bad that he thought they would earn the £20,000 offered for the head of Dundee, as of old for that of Montrose.⁹ William was to find in Dalrymple the most unpopular, if the most unscrupulously serviceable, of his ministers.

The advanced party now challenged the king’s right to nominate judges, and by “stopping the Signet” (practically closing the Great Seal) they delayed administration of judges. Fifteen thousand of the well-organised fighting-men of the Remnant in the West were in arms, under officers of their own choosing.¹⁰ The western Whigs were thought to intend to move on Edinburgh for the laudable purpose of “the quickening of Parliament”: they by no means liked or understood the nature of constitutional delays. Sir James Montgomery (July 23) was showing the teeth of his discontent in a letter to Melville.¹¹ An Act was passed against the employment in State offices of various unpopular persons, especially such as had served, like the Dalrymples, under the old Government; but Hamilton refused to “touch” it as a token of the Royal assent. Bills were introduced on Church matters: that of Hamilton retained patronage, “a heavy yoke” said Crawford, and forbade the preachers to meddle in affairs of State, “the cause of many confusions and scandalous schisms.” Cardross’s draft abolished patron-

age, and proposed to purge out the disaffected ministers. Neither Bill became law, though the Presbyterian ministers petitioned for the "outing" of conformists. "Outed" ministers of the old *régime* were, however, restored to their parishes. While the Estates were still voting to "stop the Signet" and the course of justice, came tidings first of Killiecrankie, then of the death of Dundee in the arms of victory,—the defeat of Mackay was known long before the consolatory news of the hero's fall,—and Parliament, adjourned on August 2, did not meet again till April.¹²

This Parliament, with its Club, resembled the French Assemblies dominated by the Jacobin Club in the Revolution. It granted no supplies, but that screw had not the force of the same instrument in the hands of the Parliament of England, Scottish supply being insignificant to the English king. The stoppage of justice was dexterously removed by William in November, three of the judges previously on the Bench being appointed as an examining board for the admission of new members. The President, Sir George Lockhart, had been shot in the street by Chiesly of Dalry, father of Lady Grange, later so notorious: he was a desperate man, checked in a course of brutal injustice to his wife. The new President was Sir James Dalrymple, the Coke of Scottish Jurisprudence, a man hated by the extremists, and bearing the burden of that melancholy and mysterious family history which Scott has made immortal in 'The Bride of Lammermoor.' The proceedings of this Parliament, trammelled by the distance from London and the tardiness of communications, as well as by the temper of Polwarth and the Club, indicated, no less than other signs of the times to be later discussed, the necessity of the Union.

During the short session of June 5 to August 2, we find but little in the correspondence of the Scottish Secretary about the movements of Dundee. They were, indeed, in old Scots phrase, a "runabout raid"; Dundee beginning his campaign with but a handful of fifty or sixty horses, riding about the country to raise the clans who had served Montrose, and being pursued by Mackay, who, with mixed and inadequate forces, tried to stop or surround him.¹³

On March 27 Dundee replied to a letter from Hamilton and the Convention, summoning him to lay down arms and appear in Edinburgh. He said that he was living in peace at home, and that the hillmen had not been told to lay down their arms.

His horsemen did not exceed the number allowed by the Convention, and fell far short of Argyll's companions. Livingstone and other friends were known to have left him: he could not, in safety, pass through the country to Edinburgh, nor could he leave his wife "in the state she was in." If undisturbed till her trial was over, he would give parole to be peaceful "in the meantime."

On March 30 Dundee was denounced rebel in Edinburgh, while his commission, from James in Ireland, with a bragging letter from Melfort (March 29), was intercepted. Mackay now sent Sir Thomas Livingstone's dragoons to seize Dundee; the regiment (late Dunmore's) was at heart loyal to James, including Lieutenant-Colonel Livingstone, and sent useful messages to the object of their pursuit. He therefore retreated to his house of Ogilvy, taking his last farewell of his wife. He unfurled the Royal Standard (April 12-15?) on a hill-top outside Dundee, and on April 20 escaped from a surprise planned by Livingstone. Mackay, to prevent Dundee from "playing his personage" among the clans, and fearing that the Gordons would flock to him, ordered the Master of Forbes to use his hostile clan, and bade Atholl call out the Stewarts and Murrays to intercept him. But Stewart of Ballechin, the factor of the Marquis, was loyal, and, whether by connivance of the Atholl family or not, disobeyed the command. The Earl of Mar, too, was expected to be useful, also the chief of the Grants was to hold the fords of Spey. But the Grants (a clan with a strong taste for neutrality) made no speed, and Mar fell ill and died, while Mackay with a small force marched to the town of Dundee. His enemy had traversed the North, had doubled back, and was at Fettercairn on his way to Brechin, but hearing of Mackay's approach he doubled back again. Mackay, in pursuit, met Forbes, whose levies he dismissed as "little like the work," and at Strathbogy heard of Dundee in his neighbourhood. But he also heard, as he moved north after Dundee, who evaded him, of a letter in which the Viscount told the Magistrates of Elgin that he was coming with a contingent of 1000 Macdonalds, whom he had picked up at Inverness. Mackay, "at some nonplus," marched towards Elgin, hoping to be recruited by local levies, but found the country quite devoid of enthusiasm for "deliverance." At Forres he heard that Dundee had vanished from Inverness, and himself marched thither.

Dundee, in fact, when he went north from Fettercairn, had been joined at Castle Gordon by Dunfermline, with some fifty horse. Reaching Inverness, he there found forces less valuable than those which Montrose took over from Colkitto: they were led by Macdonald of Keppoch, who was, says Philip in 'The Græmeid,' *quodlibet in facinus spoliolum impulsus amore*, "a man capable of any crime, if he had a chance of looting." Keppoch happened then to be at Inverness, besieging the town, for the following reasons. Dundee, as he rode home from Edinburgh in March, had met Drummond of Balhaldy at Dunblane, who told him of the confederacy of the usual loyal clans—Camerons, Macleans, Macdonalds. He sent them a message, and as he moved north before Mackay he received their answer. They would "send a detachment to meet him on the borders of the Highlands," and Keppoch was despatched with his men to form this convoy. Macaulay makes the strange statement that Dundee "at this time seems to have known little and cared little about the Highlanders,"¹⁴ and Balcarres says that he did not think of going to the Highlands till Livingstone tried to capture him. Dundee, in fact, could not conceivably be ignorant of the military value of the plaids, and he put himself into communication with Lochiel from the beginning, before he raised the standard.

But Dundee may well have been amazed by the conduct of Keppoch, a rebel to the Stewart as well as to the Orange Government. He found the chief in the act of "holding up" the town of Inverness for ransom, and informed him that he "would be looked on as a common robber."¹⁵ Dundee extricated the town, Keppoch receiving 4000 marks (or £2700 Scots), which Dundee promised to repay—when the king came to his own again! Keppoch, then, in place of acting on Lochiel's orders and joining Dundee, strolled home with his plunder.¹⁶

Dundee marched to Invergarry, Glengarry's castle on Loch Oich, thence to Badenoch, and, hearing of Mackay's attempts to raise, or rather hound out, the reluctant neutral clans—Forbeses and Grants,—he fixed a tryst for May 18 at Lochiel's house on Loch Arkaig in Lochaber, a country so remote and rugged as to be safe from regular forces. Dundee, leaving Mackay at Inverness, now marched through Badenoch and Atholl, where Ballechin aided him, descended on Perth, and took public money, horses, and prisoners, including the Laird of Blair, who was sent to a remote

western island of the Macleans. Mackay, after fortifying Inverness, attempted to win the Frasers and Mackenzies, or rather to bound them out, according to Lord Tarbet's letters, by force, but he found them rather against him than for him. He therefore ordered General Ramsay, with 600 of the Scoto-Dutch, to come north through Atholl and Badenoch and meet him, lest Dundee with the Camerons should fall on his own flank. But the civil authorities in Edinburgh took a crowd of Dutch fishing-vessels for the French fleet, were alarmed, and detained Ramsay, greatly endangering Mackay. He, by Tarbet's advice, proposed that Government should buy up the Argyll superiorities over the Camerons, Macleans, and other clans for £5000, as he reckoned that these loyalists were really at war with Argyll, not against William. But Government pitched on Campbell of Calder to negotiate this treaty—a Campbell "in whom the Highlanders could not be supposed to repose much trust," says honest Mackay. He himself wrote twice to Lochiel, who scorned to answer. Glengarry, when approached, politely suggested to Mackay that he should follow the example of Monk and procure a Restoration!

Meanwhile Dundee threatened the town of his own titular name, in which Lieutenant-Colonel Livingstone, with his dragoons, kept quiet, being friendly, but unable to join him. Having picked up a few cavaliers, Dundee went back through Atholl, where Ballechin secured the safety of his communications and intercepted the envoys of Mackay to Ramsay and to Edinburgh. From Strath-Tay Dundee led his men by rough paths to Loch Rannoch, and, passing along the north side of that black wind-beaten mere, went by way of Loch Treig-head, north-west, to Glenroy. Many horses were hopelessly bogged, and the author of 'The Græmeid,' with others, tramped on foot, carrying his saddle on his shoulders, "through regions condemned to perpetual frost, and never before trodden by the foot of man or horse. . . . Gladly Lochaber receives the Graham into her bosom. . . ." "Far Lochaber is certainly the world's end!" exclaimed the weary troopers. The Cameron tartan seems then to have been blue and yellow, if we may believe the poet. Dundee summoned the chiefs, Glengarry and the rest, and the fiery cross was sent round. The cross, of old, had been dipped in the blood of a slaughtered goat, but this appears to have been regarded now as pagan, and the cross was painted with red wax.¹⁷

Meanwhile Mackay, at Inverness, had been disappointed, as we saw, in making a junction with Ramsay, who was marching from Edinburgh. Ramsay, as he went north, found the Atholl men armed: they averred that Dundee lay between him and Mackay, and, when the two Williamite leaders might have joined hands, thinking that there was a lion in his path Ramsay hurried back to Perth. Dundee, knowing Ramsay's movements through despatches intercepted by Ballechin, tried to fall on him in Badenoch; and Mackay, much puzzled, set out to cut between Dundee and the south country. He hoped to surprise the Graham, and actually came within a mile and a half of his strongly situated camp within a wood and marsh, but did not repeat the success of Leslie over Montrose at Philiphaugh. Disappointed, Mackay denounced Tarbet (who was apparently, to judge by his letters, doing his best for a peaceful settlement) and Atholl to the Government. Tarbet was arrested, but after being released went to London, where he and his cousin Melville, the Secretary for Scotland, determined "to lose the General [Mackay], . . . though with him should be lost at the same time the king's service," says Mackay.¹⁸

That General, now reinforced from England, concentrated in the Grant country, hoping much from the sabres of Livingstone's dragoons on the level "haughs" or plains by the river. It was then a military postulate that Highlanders could not face cavalry, a theory which the clans were to demolish in practice. A deserter or spy from Dundee's camp revealed to Mackay the real intentions of Livingstone's dragoons, which made him uneasy. Dundee now took and burnt the fort of Ruthven held for William in Badenoch,—a fort which later defied Prince Charles in the beginning of the campaign of 1745. The deserter was released, and was able to tell Mackay that his cavalry was in treacherous communication with Dundee, who was within three miles of him. Mackay retreated before an enemy "four times his number," and escaped, "the hand of Providence being very visible."¹⁹ The 'Memoirs of Lochiel' attribute Mackay's escape to the darkness of the night:²⁰ it was indeed fortunate for the Whig cause, since, if Mackay's little force of 700 had been swallowed up, all Scotland north of Tay would have rallied to King James.²¹ It is curious to find the worthy laird of Scourie (Mackay) stopping to moralise, quite in Knox's manner, on the parallel between himself and "Saul, David, and others," whom "God called to a double blessing."²²

Hurrying away from Dundee south-east, as hard as he could, Mackay was met by reinforcements, under Berkley (Barclay) and Leslie; he at once turned again in the clear long twilight, and meant to encounter the foe from whom he had been flying. This attempt to surprise Dundee at Edenglassie was frustrated by the treachery of some of Livingstone's dragoons. Mackay's force, however, had a ruffle with a detached wandering party of Dundee's,—Macleans, under Lochbuy,—who, surprised by 200 horse, seized a hill and held it with the resolution characteristic of their clan.²³ Mackay and the Lochiel writer give totally contradictory accounts of the losses on both sides, on June 9—a date is welcome!²⁴ The assailants were some of Livingstone's dubious dragoons: they were true, however, to their salt, and were accompanied by some of Berkley's (Mackay's "Barclay's") horse. Surrounded by the hostile cavalry, the Macleans charged with the claymore and routed the enemy. The author of 'The Græmeid' says that the Macleans stripped the red coats from the fallen English: he himself, being in command of the cavalry outposts of Dundee, led the Macleans, who had lost their way in the dark, to his chief.²⁵ Dundee now heard from the friendly dragoons that they could not join him, they were too closely watched, and there were rumours that James's son, the Duke of Berwick, was a prisoner. The Viscount now disbanded his Highland levies for the time, the Gordons left him, and he was in bad health. He was presently joined by Clanranald with his Macdonalds, and by Macdonald of Sleat, by some regarded as the head of the Sons of Donald, though Glengarry has probably the best claim to represent the blood of the Isles.*

Mackay, failing to find Dundee, went to Inverness and disposed of his forces here and there, as seemed best, about the country. But he found that he could not hope to subdue Dundee's guerilla war in the hills. He therefore requested the Government to make and garrison a strong fort at Inverlochry (now Fort William), to bridle the Camerons, Stewarts of Appin, and Macdonalds of Glencoe and Keppoch. After some movements in Braemar he himself went to Edinburgh. But there he found the wrangling Parliamenters utterly inefficient and indolent; they were rich in pretexts for delay, and, absorbed in their Bills and Clauses and attack and defence of

* This appears to be proved in 'Vindication of the Clanranald of Glengarry': Edinburgh, 1821. My copy bears the autograph of "Col. Ronaldson M'Donell of Glengarry and Clanranald."

Prerogative, they had not even aided Mackay by sending frigates to cruise on the west coast.²⁶ At the moment when Dundee nearly overtook Mackay at Edenglassie (when the hand of Providence was so visible to the Scoto-Dutch General), the mischievous Keppoch slipped off with his men, ravaged the lands of Mackintosh, his feudal foe, and burned the house of Dunachton. Dundee, "seeing the country all in a flame, . . . was in a very great rage when he was informed of the authors." He told Keppoch that he would rather be a private in a disciplined force "than command such men as he," and that the chief must pack off. Keppoch made an apology, —he thought Mackintosh was untrue to the cause!²⁷

While Mackay, in Edinburgh, was making preparations to secure the great pass from the west Highlands down Strath-Tay, meaning by that road to reach Inverlochy and erect forts to bridle the clans, Dundee had collected an army of 4000 men of the Macleans, Macdonalds, Camerons, and Stewarts, and was in hopes of ammunition and reinforcements from James in Ireland. The delay in sending these supports greatly annoyed the Highlanders, and they had also heard how the Duke of Gordon tamely surrendered Edinburgh Castle (June 13).²⁸ During the interval of repose Dundee consulted the chiefs as to the propriety of drilling their men and teaching them the modern methods of war, such as Sir James Turner describes in his 'Pallas Armata.' The Lowland gentlemen and the younger chiefs preferred this plan, not so Lochiel. This chief, in youth, had been a ward of the Marquis of Argyll, but had been won over from Covenanting courses by the cruelty of the Presbyterians after Philiphaugh, and by the constancy of their victims, the cavaliers, who were put to death at St Andrews. His interests, also, were naturally opposed to those of his feudal superiors, the Campbells, who had absorbed so many of the weaker clans, and were ready to swallow the Camerons. Lochiel was no rude illiterate chief of the old school, but a man like the great Maclean of Dowart, in the age of James VI., acquainted with courts as well as with camps. He possessed unparalleled strength and vigour; when ninety years of age he had not lost a tooth, and, says a writer who met him in 1716, "he wrung some blood from the point of my fingers with a grasp of his hand." He was not the less respected for stories that he had the second-sight.²⁹ The sagacious chief was averse to the drilling of the Highlanders, as suggested by Dundee. The natural mode of Highland warfare,

under the chiefs and tacksmen as officers, had been triumphant in the days of Montrose. A few weeks of drill would change the clans into ordinary recruits, whereas their tactics were to charge up to the enemy's line, deliver one volley at a few yards' distance, and rush in with the sword. Lochiel instanced the recent conduct of the Macleans, when they routed Mackay's dragoons, and his advice prevailed with Dundee.

Meanwhile that leader saw a new example of Highland manners. The Grants had hanged two or three Camerons. The Camerons, on this quarrel, marched against the Grants in Glen Urquhart. Among the Grants was a Macdonell of Glengarry's family, who, confiding "in his name and genealogy," bade the Camerons retire. They replied that they respected his name, but did not see why it should protect the king's rebels of another clan. In the fight which followed, the Camerons drove the cattle of the Grants, but unluckily slew this Macdonell. Glengarry, in great anger, appealed to Dundee and demanded satisfaction from Lochiel. Dundee, a Lowlander, could not see how Glengarry had been wronged. If any one had a right to complain, it was himself, for the Camerons had acted without his orders. "On your principles," said Dundee, "if we meet the enemy and kill a Macdonald or two among them, what then?" Glengarry put on an air of bluster; Lochiel's men outnumbered his, he said, but valour would equal the difference in force. Lochiel, who understood his man, only laughed: the chiefs met at dinner in the friendliest way. Glengarry, in fact, had merely been acting a part to keep up his prestige with the clan. Indeed, in Dundee's final battle the Macdonalds resigned their claim to fight always in the right wing of the Royal army.³⁰ On June 27 (?) or 28 (so the letter is endorsed), Dundee, who had at last heard from James in Ireland, wrote to explain his situation to Melfort, who was, unhappily, with the king. Dundee anxiously hoped for the fall of Derry, then in the agony of its famous siege. He insisted on reinforcements from Ireland: he had received only four or five barrels of ammunition, and, having no money, he dared not go down into the Lowlands where his men would make enemies by looting for a livelihood. "We have not twenty pounds." He assured his correspondent of his friendship, but could not conceal the fact of Melfort's extreme unpopularity with the king's party, though he assured people that Melfort was for universal tolerance in religion. Even if he had

been, his way would have been odious to the Presbyterians. "By some steps that maybe you was forced to make in favour of these ungrateful beasts, the Presbyterians, you gave unhappy umbrage to both the others." On July 7, James, writing from Dublin, said that he was sending—one regiment! About money he said nothing. From Struan, on July 15, Dundee gave Sir Thomas Livingstone news of the fall of Derry, whether he believed in the report or not, and courteously declined to turn his coat and surrender like the Duke of Gordon. "Wherein I can serve you or your family at any time you think convenient you may freely employ me."³¹

Mackay now intended to march from Edinburgh, join hands with Argyll, and scatter the clans in loyal Lochaber. He meant to take 4000 foot, four troops of horse, and four of dragoons—then a kind of mounted infantry. The foot consisted of a battalion from each of his Scoto-Dutch regiments, with the regiments of Viscount Kenmure (who owed Dundee a grudge), and of Leven and Hastings. At Stirling Mackay meant to review some regiments of foot and new levies of cavalry.

But between Stirling and his goal lay the castle of Blair Atholl, commanding Strath-Tay and the Pass of Killiecrankie through the Garry valley. The place belonged to the shifty Marquis of Atholl (of the family of Murray of Tullibardine). Mackay was now informed by the son of the Marquis, Lord Murray, that, contrary to his commands, Stewart of Ballechin, commissioned by Dundee, was fortifying the Castle of Blair in James's interest: Atholl himself was in England, like his descendant during the Forty-Five. Lord Murray was sent by Mackay to Blair to keep his clan neutral: he reported that he had done his best, but that Ballechin was obstinate.³²

Lord Murray now received three letters from Dundee, which he did not answer, but sent them to Melville in London. He declared that he had done his best for the Williamite cause, by desire of his father, who was still at Bath. It appears that, whoever won, the Atholl family was safe: they would get credit from James for the loyalty of the Atholl Stewarts, if Dundee succeeded; if William were victorious, the Murrays had been kept from joining Dundee. "The Marquis of Atholl," says Macaulay, "was the falsest, the most fickle, the most pusillanimous of mankind,"—so much so, that at Bath he only "pretended to drink the waters."*

* Macaulay characteristically styles Ballechin "Ballenach."

Dundee's first letter to Lord Murray (July 19) informs him that "from your own mouth I know your principles," Jacobite; but Lord Murray now had the opposite set of principles. James has publicly promised, says Dundee, "that he will secure the Protestant religion as by law established, and put them in possession of all their privileges,"—since the Restoration,—“which should satisfy the Episcopal and Cavalier party?” (*sic*) “He promises to all *other* dissenters liberty of conscience, which ought to please the Presbyterians. . . .”

Nothing could possibly be more odious to the Presbyterians than “liberty of conscience,” as Dundee ought to have known. There is to be a general amnesty, he says, except for the subjects who came over from Holland with the usurper William, and those who voted to dethrone the king,—pretty sweeping exceptions! James “cannot alter the clement temper that has ever been found in the family, and has eminently appeared in his person,” writes Dundee quite seriously! He adds, with truth, that he has told Melfort of his unpopularity, has hinted that he should resign, and Melfort will resign, even against the king's desire. On July 23, Dundee, still unanswered, says that he has taken possession of the Castle of Blair, since “I heard the rebels designed to require you to deliver it up to them, which would have forced you to declare before the time I thought you designed.” Murray must, at one time, have been in two minds; however, now he was resolutely Williamite.³³ Balhaldie, in the ‘Memoirs of Lochiel,’ says that Lord Murray in Atholl in July pretended that he would join Dundee, but that Ballechin suspected him, and seized the Castle of Blair before he could garrison it.³⁴ Mackay now hurried to take that castle which Montrose had held and used as a base all through his year of victory. Thither his western Highlanders came to join him, while the levels of Strathspey afforded supplies. There now began a race between Dundee and Mackay for this place of strength, ever since 1746 shorn of its battlements, but even in that year able to defy Lord George Murray.

Dundee was delayed by waiting for Lochiel to come up. Meanwhile he sent two gentlemen to Lord Murray, from whom (July 25) he still expected loyalty to James. Lord Murray's clansmen, now convinced of his real designs, rushed down to the Tummell, and drank King James's health in water. Ballechin took command of this fine fighting body, who went off and attacked Mackay's

stragglers after Killiecrankie. Mackay met Lord Murray, whom he misdoubted. Murray said that his clan had gone off to put their cattle in security, "which made the General not so apt to judge ill of Murray as others did." Dundee had been joined by Cannon with James's promised regiment, merely 300 new raised, naked, undisciplined Irishmen, who added to the disgust of the clans by bringing news that supplies sent by James had been captured by English ships near Mull. Dundee, however, had won the hearts of his army, half-starved as they were. He reached Blair on July 27, and heard that Mackay had already entered the narrow defile of Killiecrankie. In that Pass, where the railway now runs, under precipitous cliffs, through woods that yield glimpses of the foaming stream of the Garry, the track at that time only permitted three men to march abreast.³⁵ The question was debated: Should Dundee wait with his slender force at Blair till the mass of the clans came up, or should he advance and attack Mackay? The regular officers were for the former course. Their men were weary and hungry. True, the clans had been victorious under Montrose, but then at first they had only to deal with militia. On the other side Glengarry spoke. He inherited the spirit of the Glengarry of Montrose's time, "as if by the Pythagorean transmigration of souls"; being "more of a politician than an open, frank, and sincere neighbour," says Balhaldie. He was in every rising, "yet he managed matters so that he lost nothing in the event." He was brave, but not socially trustworthy. This chief counselled advance,—the clans should keep on the high ground, far above the Garry. Lochiel had been silent; to him Dundee appealed. He disclaimed knowledge of war; his successes in skirmishes he owed, he said, to the valour of his clan, not to his own skill as a tactician. But he was for instant fight: the men were in good heart, the sole hope was in taking the offensive. It was vain to think of stopping the Pass—Mackay must have emerged from the defile. Dundee's face brightened as he heard Lochiel, with whom he expressed his hearty agreement.³⁶

Lochiel had still a word to say. Dundee must not expose himself: on him depended army, king, and country. If the Viscount would not give his promise, Lochiel and his clan would retire. The whole Council applauded the advice of the veteran Cameron, but Dundee implored to be permitted "to give one *shear darg*" (one harvest-day's work) to King James. The clans would look

for no less; in future he would promise never to risk his person: fatal words, but worthy of Claverhouse. Dundee marched along by the high ground, while Mackay had cleared the Pass and was resting his men in a long wide "haugh," then under corn, on the left bank of the Garry, below the house of Urrard.* In this wide haugh, hard by the road, is a standing-stone, probably prehistoric, which is often erroneously pointed out to tourists as marking the spot where Dundee fell. The stone certainly bore this character as early as 1735. Above this position is a steep declivity, and crowning it a plateau on which stand the house and gardens of Urrard, then styled Runraurie. Bodies of Highlanders were seen by Mackay on the heights to the south of this plateau, and above

* Professor Sanford Terry, in his 'John Graham of Claverhouse,' pp. 334, 337, fixes the field of battle farther to the west, between New Mains and Lettoch. I follow the narrative of Donald M'Bain, who was present (Napier, iii. 724). He says, "we drew up at Runraurie" (Urrard), leaving the baggage at the laird's smithy. A well-cut half-moon-shaped shelter trench scoring the round hill front just east of Urrard, above the plateau, seems to lend probability to my opinion.

When looking for the probable position of Dundee, while he was waiting for sunset to make his charge, I observed this trench embracing the semicircular front of the hill: it seems to be of no service for any pastoral, or indeed for any but a military, purpose. If I am right, Dundee must have occupied his men during this long pause in making this shelter from Mackay's feeble light guns. In any case, the Marquis of Tullibardine, who not only knows the ground but, from experience, the nature of war, accepts the Urrard site for the battle, and informs me that on this site relics of the fray have been discovered.

In 'The Scottish Historical Review,' October 1905, Mr A. H. Millar, adopting Professor Sanford Terry's site, quotes verses attributed to Iain Lom Macdonald, "who was with the Jacobite forces" at the battle, as well as at Inverlochy in 1645. The poet speaks of arrows as the missiles of the clans, artillery that would have shocked Dugald Dalgetty. He describes the fight as beginning at sunset, which is true, but hardly "confirms Professor Terry's account of the battle in every particular." The solitary indication of the site of the battle is given in the words—

"In the tender birch copse,
Near the farm of MacGeorge,
Full many a gay cloak lies torn."

Unluckily we do not know where MacGeorge practised agriculture, nor can the birch copse be identified; and when we hear that the clans occupied "the crest of the hill," we can only ask "of which hill?" The poem, whoever wrote it, was composed after 1714: the poet, in the spirit of prophecy, says that King James shall return, and "to Hanover thou shalt go back," "thou" being one of the Georges. Now Iain Lom, the supposed author, died in 1709 or 1710, "aged about ninety" (*op. cit.*, pp. 64, 70). The verses do nothing towards confirming any theory of the site of the battlefield, and, unless interpolated at a later time, cannot be by Iain Lom, "an eye-witness," if he was an eye-witness.

it, where a steep, round, grassy hill is scored with a semicircular trench, perhaps the work of Dundee's men. They had enough time to make it.

Mackay saw that from the plateau of Urrard the clans, if they seized the place, "could force us with their fire in confusion over the river"—the Garry.³⁷ He caused his men, who now rose into the view of the Highlanders, to occupy the plateau, "where we got a ground fair enough to receive the enemy, but not to attack them," as is evident to all who know the place. Dundee had now occupied the steep hill above Urrard, and had another very steep eminence at his back. As at Flodden, there is a giant staircase of three steps. Dundee occupied the middle, Mackay the lowest step, with a declivity behind him; below it is the haugh, and beyond that the Garry. Mackay, knowing the rapidity of the Highland attack, had abandoned the old plan of sticking the bayonet into the muzzle of the musket, and had invented a mode of fixing bayonets with two rings, so as not to interfere with the discharge of the piece, yet be ready for action against claymore and target. Having marched his men up the steep brae above the haugh, Mackay drew them up three deep, with a space between each little battalion, and a gap in his centre, where he placed his two troops of horse: they would charge through the interval when the Highlanders had delivered their volley, "which, because they keep no rank or file, doth ordinarily little harm."

Hastings' English regiment, with details from others, was on Mackay's right; Balfour's on his left, with deep boggy ground between the two wings, which seems a strange arrangement, as the cavalry was to act in the centre. The General, a brave man but a most entangled writer, was much sniped at by the Highlanders as he arrayed his little army. He made a speech, in one vast and wandering sentence, about what his men owed to the Protestant religion and to their own safety.³⁸ On Mackay's left was a house, probably that of Urrard; there were also cottages. Of these Mackay might have made a Hougomont, but Dundee occupied the house with 60 of Lochiel's 240 men, who do not appear to have held it long. Mackay's force overlapped Dundee's on each wing, widely as the Viscount spaced out his clan battalions. On his right were the Macleans (to which the Macdonalds seem to have made no demur), then his few Irish, then Clanranald and Glengarry. In the centre was his handful of some 40 cavalry,

very ill horsed. On their left was Lochiel, facing Mackay, and enfiladed by Leven's battalion,³⁹ while the Macdonalds of Sleat were on the extreme left.

A musketry duel was now engaged in: Mackay's leathern guns made plenty of noise, while the clans set up a shout more cheerful than that of the enemy. From this the second-sighted Lochiel, at once the medicine man and the chief of his clan, drew a favourable omen. Dundee now moved as if to outflank Mackay and cut him off from the Pass of Killiecrankie, by which he expected reinforcements and supplies from Perth. It is stated by the author of the 'Memoirs of Lochiel' that the left wing, Sleat's Macdonalds, were posted by the chief among cottages and garden walls, as cover during the musketry duel, and that, in the general attack, the aide-de-camp did not carry to them their orders, while they were delayed by the nature of their position. Hour after hour went by, Dundee was waiting till the sun sank,—at this time it was blazing in the eyes of the clans. Mackay says that his brother now drove Dundee's skirmishers out of some houses which must have been cotters' hovels clustered about Urrard.

As the sun was touching the western line of hills, Dundee gave the word to charge: the Macdonalds and, according to Mackay, Dundee's handful of horse came down on Hastings, fired their volley, and rushed among the troops with the sword. If this be so, the right and centre behaved gallantly; indeed, through the mist of Mackay's confused verbiage we see one thing, that his infantry gave way all along the line, "was just plying over all, though sooner upon the left, which was not attacked at all, than to the right, because the right of the enemy" (the Macleans) "had not budged from their ground when their left was engaged."⁴⁰ The Lochiel writer says the very reverse,—it was Dundee's left, the Macdonalds of Sleat, who charged last, though then "they cut off the regiment which was assigned to them." In any case, the Highlanders, though with heavy loss, carried Mackay's men with them in their rush, slaying on every hand, and hurling them down the narrow Pass above the roaring Garry. But half of Hastings' regiment, on Mackay's extreme right, having been attacked by no enemy, stood firm, as did Leven's, which had enfiladed the Camerons.

Sixteen of Dundee's horse, returning from the pursuit, found these brave regiments on the field, but could gather no force

which would assail them. On the field, too, lay Dundee, still breathing; a bullet had pierced his armour on the lower part of his left side.⁴¹ Where Dundee was really hit is uncertain.⁴² Mackay's officers examined his body later, and report that the bullet struck him in the left eye. If so, could he retain consciousness and speak his last reported words? As the gentlemen stood by their dying leader, Leven's regiment scattered them by its fire, and mortally wounded Haliburton of Pitcur, the tallest man of the army. The English infantry, or part of it, now occupied "a gentleman's house," Urrard, and could then not be dislodged.

Two different accounts are given of the manner in which Dundee met his death. He certainly rode first of his cavalry, disappeared into the smoke, and was then seen to rise in his stirrup and wave his men on. But Mackay says that the Jacobite horse charged with the Highland left, the Macdonalds of Sleat; while the Lochiel writer says that Dundee, in the centre, was not within sight of his extreme left.⁴³ Now Balcarres, in his report to James, represents Dundee as falling in the attempt to induce the Macdonalds of Sleat to follow him. The Lochiel writer, on the other hand, tells us that on the morning of the battle a certain Sir William Wallace, a kinsman of Melfort, produced a commission from James superseding the Earl of Dunfermline, and giving him the command of the cavalry. In the charge, Wallace, from want of courage, or some other reason (to avoid the morass?), wheeled off to the left, and caused a halt and confusion. Dundee, who was ahead of his men, did not know that he was not being followed, till, perceiving the fact, he turned in his saddle and waved on his horse. At this moment he was struck and fell, unperceived by Dunfermline and sixteen cavaliers, who routed the horse of Mackay. Wallace, with the rest, "did not appear until the action was over"! ⁴⁴

This appears to be the more probable story, and is given on the authority of some of Dunfermline's sixteen.

Mackay, as he observes, never inquired into details of misconduct, "because they were a little too generally committed." "In the twinkling of an eye," his left, and the enemy, "were out of sight." He collected Hastings' and Leven's men, and, "marching off very softly," crossed the Garry, where it is fordable, under Urrard, and at last made for Strath-Tay, by way of Castle Drummond, retreating to Stirling. The Atholl men accounted for

fugitives down the Pass who escaped from the clans, and if the Highlanders lost six men *on the field* to Mackay's one (as Mackay declares), the proportions of losses were altered in the pursuit. The clans appear to have lost about 600 out of 2000 engaged. The Lochiel author says that the fighting men chased till they could not see friend from foe in the darkness, and that they did not, as some report, delay to spoil Mackay's baggage, which they never set eyes on till late in the following morning.

To the Whigs in Edinburgh the first rumours brought keen anxiety. They expected Dundee to be in Stirling immediately, and Scotland to be his own. But the later news of the Viscount's fall turned their mourning into joy. There is good evidence that a Mr Johnstone heard the words of Dundee when he fell. "How went the day?" he asked. "Well for the king, but I am sorry for your lordship." "It is the less matter for me, seeing the day went well for my master."⁴⁵ The great soldier who died for a master so miserable sleeps in the old church of Blair. He had given his "day of shearing darg" to the king, happy in the opportunity of his death. Not even he could restore that prince who from a brave and beautiful lad had sunk, under religious bigotry and the licence of Court life, to be a false poltroon, on whose word no man could rely, in whose mercy none dared trust. We quit the great Dundee with the words put into his mouth by Sir Walter Scott* ('Old Mortality'): "The memory which the soldier leaves behind him, like the long train of light that follows the sunken sun, *that* is worth caring for. . . ." He has no monument raised by men's hands, but his memory keeps her dwelling in the light of setting suns on the hills of Atholl.

The death of the great Dundee, in the view of both parties, implied the ruin of the Cause. "The next morning the Highland army had more the air of the shattered remains of broken troops than of conquerors." The one man who could act the part of

* As to Dundee's alleged letter to James, dictated after his wound, Professor Terry (Appendix III.) gives a full account of the problem. The letter is not, of course, a forgery by Macpherson (i. 372). A form of it exists in a contemporary printed broadside, but I differ from Professor Terry as to the relative originality of the broadside and of the manuscript among the Carte Papers in the Bodleian Library. The MS., to myself, seems the prior composition, and is written, though the variations are slight, more in the spirit of Dundee. It seems impossible that Dundee dictated the letter, and yet not very easy to believe that any forger could catch his tone and spirit so successfully.

Montrose, who could control the clans, with the unfailing aid of the wise and venerated Lochiel, was gone. "That melancholy army" was commanded by General Cannon, an ordinary person, without sympathy or imagination. In vain fresh clans joined his forces—Glencoe, 500 Camerons, the Stewarts of Appin, the Stewarts of Atholl. In the braes of Mar they picked up Gordons, Farquharsons, Forbeses, till they numbered 5000 men, lions led by a sheep. The cavaliers of the South, broken reeds, sons of the men who failed Montrose, "were ready," so they said, but vainly waited for Cannon.

Mackay, combating the timidity of the Parliamenteers, who would have abandoned the North, concentrated at Stirling. He was indisposed to use the godly of the West, "whose pretensions appeared already exorbitant enough," but he had the regular Cameronian Regiment, of which the Earl of Angus was colonel.⁴⁶ This was fortunate for the Government. Mackay marched promptly on Perth, crossed Tippermuir, the scene of Montrose's first victory, and cut up a party of Cannon's Atholl men who were foraging. He now moved on Aberdeen, while Cannon, in place of descending on the Lowlands, was marching about the Braes of Mar, his men discouraged by the discovery at Perth that they were not invincible and were not capable always of resisting cavalry. On August 17 the Cameronians occupied Dunkeld, on the Tay, against which Cannon was moving with his whole force. But already the chiefs were irritated by the predominance foolishly assigned to the Lowland officers, the error which Dundee had avoided, and by the dilatory proceedings of Cannon in Aberdeenshire. Lochiel withdrew, Sleat withdrew, the army of Cannon was depleted. But the Cameronians were known to have been left without supports in Dunkeld, among people who hated them, and whom they, remembering the ravages of "the Highland Host," equally detested. Cannon had a skirmish with Lanier near Brechin, and then, hearing of the isolated position of the Cameronians, he retired to the hills and prepared to cut them off. At Coupar-Angus, within ten miles of Dunkeld, Lanier heard of the peril of the Cameronians. Three troops of dragoons had been sent by Ramsay to reinforce them, but they retired, in the face of the clans, despite the vigorous remonstrances of Lieutenant-Colonel Cleland. The pretext for the withdrawal of the cavalry was an order of Council, and, according to Sheild,

"the most part of people did say that they" (the Cameronians) "were betrayed, in which the Duke of Hamilton was blamed as having a chief hand."⁴⁷

The idea, though absurd, may have occurred to the Cameronians themselves, when deserted by the horse and exposed in an open town to the victors of Killiecrankie,—who were no longer 5000 men, but greatly outnumbered the new regiment. But their commander, Cleland, who had seen the back of Claverhouse at Drumclog, was a man of dauntless resolution. He strengthened and occupied with outposts the walls and enclosures, and made his principal point of resistance the church, and Atholl's town house. On August 21, about seven in the morning, the Highlanders attacked, driving in the outposts, carrying wall after wall, the Macleans foremost. The castle, as Atholl's house is called, and the old Abbey church, were then assailed. The gallant Cleland fell while encouraging his troops; the Major, Henderson, was mortally wounded. Monro took command, and ammunition was so scarce that lead was stripped from the roofs and cast into bullets during the fray. Macaulay describes the Highlanders as occupying the houses and "keeping up a galling fire from the windows." The Lochiel narrator says the reverse,—the Highlanders stood exposed in the streets, "and killed them in the windows." Cannon had no balls for his artillery, and the church and castle had to be taken, if at all, by a *coup de main*. The Cameronians, also in lack of ammunition, were, says the Lochiel writer, on the very point of surrendering when Cannon, "even against his men's inclinations, commanded them to retire."⁴⁸ The town was on fire, the Cameronians are said to have locked Highlanders up in the blazing houses, but a lock would not keep a door fast against Highland shoulders.

It was a question of "who will pound longest." The brave Cameronians pounded longest, but we may doubt whether Mackay, and of course Macaulay, are right in attributing want of tenacity to the clans. At Ticonderoga the recall had to be sounded several times before the Highlanders could be dragged from the impenetrable *abattis* of the French. Mackay himself avers that the Highlanders "got a low esteem of the conduct of Cannon," a thing not to be marvelled at.⁴⁹ He states the Highland loss at less than twenty men, as does the Lochiel narrator, who declares that, under cover, the Cameronians feared to expose themselves

while aiming. "Cannon never could bring them to it the second time," says Mackay. The author of 'The Historical Record of the Twenty-sixth or Cameronian Regiment,' on the other hand, puts the Highland losses at 300, and those of the Cameronians at 52 out of 800, whereas the Lochiel narrator states them at 300. Doubtless great courage was shown on both sides, for the Cameronians were raw recruits who had never seen fire, and were vastly outnumbered, but they fought well under the shelter of strong walls, which, if artillery is not used, ought to ensure success. In any case this resistance was decisive. The effect of Killiecrankie was obliterated. Blair Atholl Castle was occupied by Mackay without opposition, the clans disbanded and went home cursing Cannon, and Mackay cantoned his troops near Perth. Had Dundee lived, all the North would have been over the Forth, and Dalrymple says that the old Puritan shire of Fife was not to be trusted. But the death of Dundee, the tenacity of the Cameronians, the imbecility of Cannon, and the courage and conduct of Mackay, had saved the bungling Government, which now returned to its political tasks and difficulties.

NOTES TO CHAPTER I.

¹ Leven and Melville Papers, 1689-1691 : 1843.

² Leven and Melville Papers, p. 68.

³ Act. Parl. Scot., ix. Appendix, 123.

⁴ Act. Parl. Scot., ix. Appendix, 128.

⁵ Act. Parl. Scot., ix. Appendix, 132.

⁶ Leven and Melville Papers, p. 151.

⁷ Leven and Melville Papers, p. 166.

⁸ Leven and Melville Papers, p. 170.

⁹ Leven and Melville Papers, p. 193.

¹⁰ Leven and Melville Papers, pp. 182, 185.

¹¹ Leven and Melville Papers, p. 190.

¹² The History of the Affaires of Scotland, pp. 137-189 : London, 1690.

¹³ The authorities are Mackay's *Memoirs of the War, &c.*, 1689-1691 : Edinburgh, 1833. *Memoirs of Sir Ewen Cameron of Lochiel* (Maitland Club, 1842). *Viscount Dundee's Letters* (Bannatyne Club, 1826). *The Græmeid : An Heroic Poem*, by James Philip of Almerie close, 1691, edited by the Rev. A. D. Murdoch (Scottish History Society, 1888). *Balcarres's Memoirs, 1841* (Bannatyne Club). Act. Parl. Scot., 1689-1695. Macpherson's *Original Papers*, vol. i., 1775 : in-

cludes copies of Nairne MSS. Napier's *Memoirs of Dundee*, vol. iii., 1862. Mackay is perhaps the least lucid of military writers, and revels in a plentiful lack of dates. The *Memoirs of Lochiel*, very pleasantly written, are attributed to Macgregor of Balhaldie, who brought Prince Charles from Rome to France in 1744.* The Græmeid, by a companion of Dundee in the campaign, is a florid Latin epic, well annotated by Mr Murdoch. Browne's *History of the Highland Clans* (1838). The *Despot's Champion* (1889), and other modern works, deal with the campaign. Professor Sandford Terry's *Life of Dundee* (1905) has also been consulted.

¹⁴ Macaulay, iii. 63 : 1860.

¹⁵ *Memoirs of Lochiel*, p. 237.

¹⁶ Dundee's own account. Macpherson, i. 353.

¹⁷ The Græmeid, p. 111.

¹⁸ Mackay, p. 25.

¹⁹ Mackay, p. 35.

²⁰ Cf. *Letters of Viscount Dundee*, p. 60.

²¹ *Memoirs of Lochiel*, p. 242.

²² Mackay, p. 36.

²³ Mackay, pp. 38, 39 ; Dundee, p. 61 ; *Memoirs of Lochiel*, p. 245.

²⁴ The Græmeid, p. 211, note 3.

²⁵ The Græmeid, p. 216.

²⁶ Mackay, pp. 44, 45, 46.

²⁷ *Memoirs of Lochiel*, pp. 242, 243 ; The Græmeid, p. 180.

²⁸ MacSweeney's Report, *Letters of Dundee*, p. 63.

²⁹ *Memoirs of Lochiel*, pp. 24, 25.

³⁰ *Memoirs of Lochiel*, pp. 250, 255.

³¹ *Letters of Viscount Dundee*, pp. 64, 71.

³² Mackay, pp. 46, 47.

³³ *Letters of Viscount Dundee*, pp. 71-79.

³⁴ *Memoirs of Lochiel*, p. 255.

³⁵ *Memoirs of Lochiel*, p. 258.

³⁶ *Memoirs of Lochiel*, pp. 258, 264.

³⁷ Mackay, p. 51.

³⁸ Mackay, pp. 52, 54.

³⁹ *King's Own Scottish Borderers*.

⁴⁰ Mackay, p. 56.

⁴¹ *Memoirs of Lochiel*, p. 269.

⁴² See Terry, Appendix ii.

⁴³ *Memoirs of Lochiel*, p. 273.

⁴⁴ *Memoirs of Lochiel*, p. 268.

⁴⁵ Act. Parl. Scot., ix. Appendix, p. 56.

⁴⁶ Mackay, p. 63.

⁴⁷ *Faithful Contendings*, p. 413.

⁴⁸ *Memoirs of Lochiel*, pp. 286, 288.

⁴⁹ Mackay, p. 70.

* John Macgregor, son of a daughter of Lochiel (*History of the Clan Gregor*, ii. 294. 1901).

CHAPTER II.

PARLIAMENTARY AND ECCLESIASTICAL SETTLEMENT.
MASSACRE OF GLENCOE.

1689.

EVERY vice of treachery and greed which Thucydides ascribes to the influence of Revolution was now displayed by the prominent politicians of Scotland. The desires of the Club might, in themselves, be even applauded. They professed to wish for modern constitutional Government, not ignobly, if prematurely, and they won it for a few years. But the private designs of several of their leaders were mere self-seeking, notably in the case of Skelmorley, as Sir James Montgomery is usually styled. By a reversal to the methods of Charles II., William, as soon as Parliament adjourned, issued a proclamation, forbidding the lieges to leave Scotland and go with their grievances to the new king. Ross, Annandale, and Polwarth, "the heads of the Mobile," that is, of the mob,¹ were recalcitrant. They agitated in the country, framing an address which was signed by most of the barons and burghs,—the Provost of Aberdeen signed when he was drunk. They tried to bring the Westland Whigs to Edinburgh, by way of a "demonstration," and the Cameronian regiment, three weeks before its gallant stand at Dunkeld, mutinied for pay.² Polwarth told Lockhart that matters would never mend in Scotland till it came to throat-cutting. They desired a Republic, in Lockhart's opinion: place, and revenge on the detested Dalrymples, was what they really desired. By September, multitudes of all parties had flocked to Court to bewilder the king. The egregious Crawford outdid the preachers and prophets in the quoting of texts. "I dare not question but that God hath begun to put His feet in our waters, and that He will not

draw in His arm, which He hath bared, until He make His enemies His footstool, . . . that He will find out carpenters to fray all these horns which push at His ark, and that in due time He will level all these mountains that are in Zerubbabel's way."³

Meanwhile he was evicting many scores of conformist ministers on the information of their parishioners, which caused sympathy and excitement in the breasts of English Churchmen. The evicted said that they were punished for being Episcopal; the other party averred that they suffered for purely political causes,—they would not pray for the new king and queen. The lists of the expelled show that Episcopal conformity was strong in St Andrews, in Fife, and in Teviotdale. A Cockburn at Ormiston did not match the Presbyterian ardour of his ancestors at the Reformation. Dundee and Perth ministers were conformist: they had preached with joy on Dundee's fatal victory, were tried, and were acquitted, which is curious.⁴ There was nearly as clean a sweep made of conformists now as in 1638, as great an extrusion as of Presbyterians under the Restoration. The most marked results of these troubles were, perhaps, the pamphlet styled 'Scots Presbyterian Eloquence,' the replies to that, and a crowd of other tracts. The defenders of the Kirk argued that Sheild's notorious works were as anti-Presbyterian as anti-Episcopalian: Sheild represented, of course, the extreme left wing, semi-detached, of the Presbyterians. "'The Hind let Loose' was never the standard of our principles, nor approved by our party," says the Kirk's defender.⁵

These paper bullets of the brain flew about in a later strife. Meanwhile Crawford and his party were sorely exercised by fears that William, moved by Burnet, now Bishop of Salisbury, would be too lenient to Episcopalians.⁶ In September, Polwarth carried to Court the Address manufactured by the Club.⁷ Polwarth was to return to Scotland in a milder mood; not so Ross, Annandale, and Montgomery. A Vindication of the Address was written by Fergusson the Plotter, who, merely for love of plotting, it seems, had turned the coat he wore under Monmouth and sided with the Jacobites. This pamphlet was excessively vexatious to William, and Annandale, Ross, and Sir James Montgomery saw that they had hopelessly lost the Royal favour. In August 1690 Annandale betrayed his associates, and his confession tells the story of their doings during the adjournment of the Estates. Montgomery proposed, he said, that they should apply to their rightful king over

the water, "who, no doubt, would give us what preferments and employments we pleased,"—a very appropriate argument. Montgomery drew up a Commission for Annandale himself as Royal Commissioner to a Parliament under James, with fantastic instructions; and they plotted with Nevile Payne, one Simpson, and Williamson, to have these papers conveyed to James for signature. Simpson was a double spy, employed by Bentinck (Earl of Portland) for William, and he came and went with information from both parties to their enemies. Montgomery's brother betrayed Montgomery's intrigue to Burnet, and Williamson was seized at Dover. This may have been a blind to secure the safe departure of Simpson, who carried the papers for James to France, while nothing was found on Williamson. At all events, thus matters turned out, and the younger Montgomery was reconciled to the Church and is out of the story. James took the bait of the conspirators, very foolishly; Burnet was laughed at; and stories of Jacobite plots were ridiculed.⁸

Annandale and Montgomery then returned to Scotland, hoping to blend all the discontented into a majority against William. Obstruction and a forced dissolution was their plan, and as William again and again adjourned Parliament, the discontents increased. But though details were still unknown, the general lines of the plot did not escape the Presbyterians, who could trust nobody much, but trusted Melville, who in 1690 succeeded Hamilton as Commissioner, more than they relied on Montgomery⁹ and King James. Among the Articles signed by James was an exception of Burnet, Melville, Mackay, Sir John Dalrymple, and two others, from a general amnesty. Atholl, Arran, Breadalbane, Balcarres, and other gentlemen were "peached" by Annandale as cognisant of his conspiracy, but "all of them did exceedingly blame us," he says, "for thinking that it was possible to do King James's business in a Parliamentary way,"—the natural mistake of such constitutional zealots. To have kidnapped William would have been far more romantic and quite as feasible. Yet we must, in fairness, confess that these intriguers were in advance of their age, and recognised the beauties of Parliamentary obstruction as a means of obtaining office.

The leaders of the Club, when they met at Edinburgh in January 1690, made a *volte-face*, and took up the cause of the expelled and impoverished Episcopalians.¹⁰ Montgomery went to Hamilton, to the Duke, hoping, no doubt, to win that waverer. The representa-

tives of Government placed all their hopes on a visit of William to Scotland, and on a "half-dress" coronation, as nobody could afford full-dress robes. But William was no more crowned at Scone than James had been. The English Parliament was about to sit, and the Dutch monarch never found time to visit his kingdom of Scotland. The Club gave out that Parliament would never meet; but William, in fact, was determined that the Scottish House should not sit while the English Parliament was sitting, for sympathy would be excited at Westminster with the Scottish Episcopalians. Hamilton was suspected of treating with the wild western Whigs, because he engaged some Cameronian gardeners!

The Government, reckoning up votes in February, thought themselves almost secure of a small majority, in which they were not to be disappointed, for Polwarth had deserted the Club and, in February, was corresponding with the king. "The Club is now broken to pieces," wrote Dalrymple. On February 25 William gave his instructions to Melville as Commissioner. He was to "touch" and pass the Acts of 1689 for restoring Presbyterian preachers to their kirks. He was to abolish Patronage, which was against William's wishes, as an interference with men's property. He was to settle the question of Church Government.¹¹ A beginning was made of Breadalbane's plan to buy up the clans. William showed clearly his desire that General Assemblies should be convoked by the authority of the State, not called together by the preachers whenever they wished to agitate.¹²

Meanwhile Montgomery was working at the impossible task of uniting the Jacobites and the constitutional extremists on the basis of hatred of Melville, of the Dalrymples, and of the nominations of judges in the Court of Session. He would have a Habeas Corpus Act, and freedom of speech in Parliament, which do not read like violent demands. He was also for abolishing the Royal Supremacy and restoring the Kirk as in her palmy days, the notion being that, if William would not make, James would promise, these concessions. Supplies would be refused, the army would disband, and the clans would come down on the country. The Jacobites had scruples about taking the parliamentary oaths; but some did risk their souls, others kept out of the way. The Government created six votes—in an ingenious way: they spent the secret service money granted by William for that purpose, and they met Parliament. Crawford made a speech about

Nehemiah and Ezra, and the first contest was over a disputed election. The six votes made "by dividing the office of Clerk Register into six" just furnished a majority of that number. Several Jacobites stood aloof, others joined the party which had the majority, the rest "made a miserable figure" as they listened to Dalrymple and Montgomery "scolding like watermen." Montgomery was for none of a Dutch sort of Presbyterianism "called Erastianism," but for the Kirk in the glory of 1648, and this found favour, says Balcarres.¹³

The Supremacy Act and the Act restoring outed preachers were touched and passed on April 25.¹⁴ The Lords of the Articles, these venerable grievances, were abolished at last, and Parliaments were to choose committees of equal numbers from each Estate, *plus* officers of State who might debate, but might not vote, unless they were, by election, of the Committee of the Lords.¹⁵ With a sensible relief we say farewell to the old Lords of the Articles, who facilitated the despatch of business, but deprived "plain Parliament" of the constitutional development which now advanced so rapidly that, by 1707, members of the Scots Parliament had little to learn from the House of Commons at Westminster.

On May 26 the Estates fixed the national creed. The Westminster Confession was read,—there it stands in the Acts of Parliament; but the Catechisms were left out,—"the House grew restive and impatient, and could stand out no longer," says a pamphleteer.¹⁶

There was now a short adjournment (May 30 to June 4). During the interval Montgomery received "a great black box with papers," from James in Ireland. Annandale, Arran, Ross, and Montgomery opened it, took out some documents which they did not wish Balcarres and the genuine Jacobites to see, sealed up the envelopes afresh, and summoned Linlithgow, Balcarres, and Breadalbane. Annandale assured them that the seals had not been tampered with, so it appeared strange that they bore his own seal. The Jacobites and the Club traitors now understood each other, and "never were men in greater confusion than all of us," for the Jacobites found that the traitors had got from William all the best that James could promise, and that they had aimed at a constitutional revolution. The Jacobite commissions were burned: for the defeat, by Sir Thomas Livingstone, of a small Highland force, surprised in their sleep at Cromdale Haughs, on May 1, had already damped the more romantic hopes

of the friends of King James. The imbecility of the Jacobites as conspirators was thus made plain to the world, and it was left to Annandale, Montgomery, and Ross to betray their associates with various circumstances of ignominy. While the Kirk, after the brief adjournment, was being restored, shorn of the Covenant and of civil penalties attending excommunication, Ross and Montgomery were trying to save their heads by babbling to Melville about their Jacobite intrigues. "What a parcel of rogues in a nation!"¹⁷

The Estates met again to fix the model of the new Presbyterian Establishment. William had communicated his ideas to Melville. The Act, as drafted, styled Presbyterian Government "the only Government of Christ's Church in this Kingdom." William preferred "the Government of the Church in this Kingdom established by law." He asked for secure power to his Privy Council; Synods and General Assemblies might meet when they pleased, provided that they first applied to him or the Privy Council, "and have his allowance accordingly." A Royal Commissioner should always be present, with power to stop any roamings into matters "relating to the Civil Government": the Commissioner must refer these to the Privy Council. William again expressed his scruples about infringing rights of patronage, while declaring vacant the parishes of the rabbled ministers. For Episcopalians who took the Oath of Allegiance he desired the indulgence extended to Dissenters in England.¹⁸

The Act as passed restored the Kirk as in 1592. It was to be organised and instituted by the survivors of the preachers outed in 1661; only sixty of them ("The Sixty Bishops") still survived. The benefices of the conformists outed before April 1689 and of those outed for not obeying the proclamation that they should pray for the new king and queen were declared vacant. The Sixty, with any helpers whom they might select, were to do the purging of inefficient, scandalous, and erroneous preachers.¹⁹ All this new settlement was as Erastian as the decree of Parliament for a Thanksgiving Day for the battle of the Boyne, and for monthly fasts during the king's absence in Ireland. If to appoint holidays, as for August 5 and May 29, was the sin of Uzziah, then sinful were the Parliamentary feasts and fasts.²⁰

On July 19 an Act rescinded certain Acts as "useless or hurtful." Among these were "*All Acts enjoining civil pains upon sentences of Excommunication.*"²¹ This was a joyful day. "The excommunicat-

ory fever," as Erastus called it, which broke out under Knox in May 1559, was for ever cured: the preachers might bind and loose what they would, or could, in heaven, but though they might vex men with excommunication of a spiritual sort, they could no longer compel the State to ruin them on earth. Nothing at all was said about the Covenant, that solemn oath binding on all generations. The Cameronians and various dissenters later might renew it as often as they pleased, but the thing was practically dead.

The victory of the Boyne, the confessions of Ross—who was put into the Tower—and of Annandale (August 31) who was the most explicit of these traitors, and the establishment of a strong fortress at Inverlochy—where Colonel Hill commanded, reduced the hopes of the Jacobites. Ferguson and Cochrane (of Argyll's expedition) were taken in England, but could not be extradited to Scotland and tortured, as Carstares had been, and as William desired.²² The pair were discharged.²³ But Neville Payne, an English playwright and conspirator, had been taken in Scotland, and was to be, probably, the last victim of judicial torture (witches apart) in that country,—though it was in 1690 intended to torture one Mure or Ker for child murder.²⁴ The list of questions put to Payne (who is said to have been a country gentleman, and is confused by Macaulay with another Payne, a friend of Coleman, who was executed at the beginning of the Popish Plot) was drawn up in August. It was hoped that he would incriminate English accessories to Montgomery's conspiracy and throw light on dealings with France. In England, Mary herself examined the shamefaced caitiffs, who "mumbled" their avowals.²⁵ Payne was not tormented till December 10, "gently," and next day, for two hours, "with all the severity that was consistent with humanity," says the Bible-loving Crawford, who could only suppose that the victim was sustained by his religion—Catholic. "My stomach is truly so far out of tune by being a witness to an act so far cross to my natural temper, that I am fitter for rest than anything else," wrote Crawford. Several of the Council objected to the cruelty, and withdrew. Payne was never proved guilty, but was kept a prisoner to the end of his days, some ten years later.²⁶ He had been thought a coward by Lockhart: he proved himself to be no less courageous than Mitchell and Mackail of the Covenanting party.

The Government, when the Estates rose, looked forward nervously to "losing in the General Assembly of October what they had gained in Parliament."²⁷ Lord Carmichael, a man of sense, was to be Royal Commissioner. Hints were given to the Assembly that their sitting should be brief. Melville warned Kirkton, the historian of the sufferings, that moderation was indispensable, and he appealed in the same sense to Gilbert Rule, Fraser of Brae, and "Dainty Davy," Mr David Williamson, famous in song for an adventure in which his alleged presence of mind, when in hiding from the dragoons, extorted the applause of Charles II. If the new Assembly played the old game of resistance to the State, the Church party in the English Parliament might, by way of reprisals, refuse supply.²⁸ The king himself, in a letter to the Assembly, insisted that they should be moderate.

At this period the long strain of persecution by the two last Stuart kings had done its work. The old irreconcilable temper was broken; the old impossible claims of the Covenant were dropped. Crawford had spoken about Nehemiah, and Ezra, and the rebuilding of the Temple, but this rebuilding did not match that of 1638. Among the "outed" survivors of 1661, the remnant of the former generation, were Protestors who had warred with Resolutioners, Resolutioners who had wrangled with Protestors. Gaunt and grey they met, and there was a moment when it seemed as if they would renew their ancient bickerings, but time had tamed them, and common-sense was heard. Now there was present in the Assembly no crowd of enthusiastic ruffians, such as Baillie describes in 1638, come to behold and applaud the fall of the prelatical Jericho. The brethren kept out all who were not of their own party, however, "forbidding the keepers of the doors to admit any without a leaden ticket in the shape of a heart." Not now was the Royal Commissioner (like Hamilton in 1638) in fear for his liberty and even of his life. The Commissioner, and Kennedy the Moderator, did not quarrel about the Kirk's right or the king's right to appoint times of meeting. They agreed, apparently, on the momentous dates in private; Carmichael then appointed the time, and Kennedy, "without taking notice of what the Commissioner had done, himself adjourned them to the same time," as is still the practice. One day when Cunningham was acting as Moderator he asked the Commissioner what the next day of meeting should be, and then "corrected himself in his prayer."

After acknowledging the Founder of Christianity as the Supreme Head and Governor of the Church, he is said to have added, "Thou knowest, O Lord, that when we own any other it is only for Decency's sake."²⁹

Carstares—"Cardinal Carstares," as he was called—had come down from London. William's Scottish adviser—a man both wise and pawky,—he kept all in fair order, while allowing scandalous and inefficient and erroneous Episcopalians to be tried and deprived on what they declared to be trivial charges and tainted evidence. The party in power were more anxious to empty Episcopal pulpits than careful about how they were to be filled again. But the outed conformists were not picturesque, and their cause has never been popular. They did not go about in armed conventicles, they had not the chance, though in the North there were places where their flocks backed them *vi et armis*. They never murdered a Moderator on Magus Muir. In Edinburgh they held their quiet meetings, where they did what they had not dared to do publicly under the Restoration,—they used the English Prayer-Book. That noble and beautiful Liturgy thus stole back into Scotland, under the shadow of persecution, affording to a little flock a shelter against the absurdities which too often accompany "conceived prayers,"³⁰ unpremeditated petitions.

When the Assembly appointed a day of fasting for "defections," the friend of Leighton, Charteris, told his flock that "the defection has not been from the truth, or from the fundamental articles of the Christian faith, but from the life of God and the power of religion, and from the temper and conversation which the Gospel requires in us." As to Episcopacy, that was no defection: defection lay in "a factious, schismatical, and uncharitable temper."³¹

"The Societies," Cameronians, observed the whole of these tame proceedings with sorrow, and sent five men with an address to the Moderator and Assembly. Three zealots—Lining, Boyd, and Shield, author of 'The Hind let Loose,' and chaplain of the Cameronian regiment—now came in and were reconciled to the Kirk. A long paper exonerating their consciences as to the grounds of defection was not publicly read, being thought to contain injurious and uncharitable reflections; a shorter paper, with their reasons for coming in, was accepted.³² The five deputies requested the Assembly, in very becoming terms, to read the longer paper, which represented their ideas about all manner of sins com-

mitted in compromising with the ungodly. They had never meant to separate from the reformed covenanted Church, but only from the defections of many of her members. Schism on one side, sinful union on the other, were Scylla and Charybdis—an expression which they did not employ. In addition to past backslidings, the Covenants (like the hobby-horse,) “were forgot,” “not mentioned by many.” The king and queen, they said, had not been warned of “the guilt and danger of tampering with and patronising Prelacy in England and Ireland.” The five envoys were promised some satisfaction in a proclamation for a General Fast, but did not like it when they got it. Sheild, Lining, and Boyd were regarded with disfavour by Cameronian extremists,—tampering with these three men had been sinful, “a step of defection, and cause of mourning”; Cleland, who fell at Dunkeld, was unpleasantly spoken of; the raising of the Cameronian regiment was looked on as sinful and scandalous. No better were owning of civil courts, and payment of cess “for the maintenance of the Prince and Princess of Orange, now become the head of the Malignants, Prelatics, Indulged, Toleratists, and Sectarians in these lands.”³³

Meanwhile the Cameronians had no ordained minister; how they at last obtained one is told later. Their extreme ideas were expressed, till far into the eighteenth century, in the declarations of the Cameronian party and in the dying confessions of eminent saints. The Remnant were so adverse to “the idolatrous occupants upon the throne” that the Jacobites often had hopes of an alliance with the Cameronians. But the anachronism of the Covenant, with its associated ideas, tended to become a mere sentiment, and is still dear even to many members of the “cauld-rife and Erastian establishment.” One joyous task was left to the Sixty Bishops: they thoroughly purged the garner of scandalous and erroneous ministers, who, naturally, were as a rule conformists. The purging was resisted in some parts of the country north of Tay. William had not been allowed to carry the amendments in the Act which he suggested in May: patronage, in spite of the king, had been abolished (July 19); the purgers of the Kirk were not subjected to the approval of the Privy Council; Episcopalians taking the Oath of Allegiance were not “indulged” like Dissenters in England; and Christ’s Church was not delimited as “the Government of the Church in this Kingdom established by law.”

Melville gave his reasons for failure on these points.³⁴ He ceased to be Commissioner in 1691.

The results of the General Assembly, it is plain, were not, and could not be, agreeable to William. Some compensation for abolished patronages was assigned, but was very seldom paid or even demanded. The mode of electing preachers was not absolutely democratic; but as patronage, unluckily, was restored in the following reign, the details of the method practised in the brief interval are explained later. The universities, especially St Andrews, suffered loss of scholars relatively distinguished, and Edinburgh lost Dr Gregory in Mathematics, Mr Douglas in Oriental Languages. After 1690 there was an interruption in the meetings of the Assembly, and we return to secular affairs.

The surprise which scattered the Highlanders at the haughs of Cromdale had hurt them little, save by the loss of Lowland officers whom they did not want. The Lowland officers of Dundee, as all the world knows, reaped undying honour in French service, especially when they captured and held "the Island of the Scots." The story, in Aytoun's verse, is familiar to most schoolboys. Among these eighty gentlemen only six bear Highland names.³⁵

By October 22, 1690, Tarbet could tell Melville that though the Highlanders had practically suffered no losses by the sword, the methods of Colonel Hill, commanding in the new fort at Inverlochy, had "broken their combination."³⁶ While an English officer commanded a fortress and garrison at Inverlochy, the Macdonalds, Camerons, and Stewarts could not entirely trust each other. By December 18, Lochiel, Sleat, and Keppoch were reported as being ready to come in, but not Glengarry. Tarbet wanted to satisfy them with money, for they were dangerous, being as fit as ever to wage a guerilla war or to join in a French invasion.³⁷ No less than £10,000 would be well spent if it staved off a new campaign. Tarbet still wrote to Melville, who found, at the end of 1690, that he had lost William's favour, perhaps because of his concessions to Presbytery, but the reason is doubtful. Meanwhile Hill, commanding at Inverlochy, was in May 1691 ordered to use severity, and force the Highlanders to come in; but he was old, he knew the difficulties, his garrison was ill paid, and he did not love his task.³⁸ The Government wavered in its resolution, and Hill was not driven to a mountain campaign against the clans.

The Appin and Glencoe men (June 3, 1691) professed readiness to take the oaths at Inveraray, the Earl of Argyll being their feudal superior.³⁹ In June, Breadalbane (Campbell of Glenurchy) was entrusted with the task of reconciliation. At heart probably a Jacobite, he had doubled in and out among the plots and betrayals, but as a near neighbour of the predatory Macdonalds and Camerons it was his private interest to secure peace and quietness among them. Hill "expected more hurt than good" from his interference. Lochiel, Breadalbane's cousin, knew him better than he trusted him, and regarded the gold "in a chest at London," destined to pacify the clans, as likely to remain in Breadalbane's possession. None the less, in the end of June some chiefs met, as an agent for William, the peer whom they knew best as an agent for James. Breadalbane had arrived and seen some chiefs by June 26. On June 30, at Achallader, Buchan, commanding for James, and Barclay, signed a truce to last till October 1, and so, says Breadalbane, did the Chiefs. But there appear to have been "Private Articles," secret clauses. The truce was only to hold if there were no invasion or general rising, and if James approved. If William and Mary refuse the terms as publicly announced, Breadalbane is to join the insurgents with 1000 men, which "he promises both on oath and honour"! The document was sent to James.⁴⁰ If this document be genuine, and two copies were presented to the Privy Council,—one from Livingstone, one from a nephew of General Buchan,⁴¹—Breadalbane was playing a double part, and this charge was brought against him, though it was rejected by Dalrymple and William.⁴²

All this time William was abroad, in Flanders, campaigning, accompanied by Sir John Dalrymple, and to Flanders went letters in which Hill spoke his mind about Breadalbane, who was not ignorant of this fact.⁴³ Livingstone, too (August 4), had spoken very freely of Breadalbane's methods.⁴⁴ But William accepted the truce (August 27), either not knowing about or not believing in the secret clauses. He offered indemnity to all who came in by January 1, 1692; others would underlie the utmost extremity of the law.⁴⁵ By the end of October, Hill reported that the Highlanders "would not settle with my Lord Breadalbane upon any account; . . . he is, saving his title, no better man than some of themselves."⁴⁶ There was, indeed, an appearance of failure in Breadalbane's negotiations, as we learn from the letters which Sir

John Dalrymple, now Master of Stair, and in constant attendance on William, wrote to the Earl from camps in Flanders or from town. But the clans felt the weight of the proclamation issued in August, offering terms to all who came in before January 1, 1692. The alternative was fire and sword, and they were too disunited to resist. Who knew what his neighbour was doing? In March 1690 William had commissioned Tarbet to offer as much as £2000, and any title under an earldom, to Sleat, Dowart, Lochiel, Gengarry, Clanranald, or the uncle of Seaforth, if they would come in.⁴⁷ They all remained honourably free from titles, and probably Breadalbane offered none. Still, on one side was money, and King James's permission to treat; on the other was war to the knife.

Macaulay supposed that Dalrymple was throughout averse to reconciling the clans—that his eager desire was even to crush them, once for all; but it is clear, from Dalrymple's letter to Breadalbane (Approbiach (*sic*), June 15/23, 1691), that he would have much preferred to see Breadalbane successful.⁴⁸ Dalrymple persevered in this strain, and refused to believe the charges of double dealing against Breadalbane. "The best cure of all these matters is that the chiefs do take it [the oath] as quickly as can be" (September 18/28). From London, on November 24, Dalrymple wrote that he had not heard from Breadalbane since October 10, and feared that a conference with the chiefs had been unsuccessful. On December 2 Dalrymple foresaw ruin to the clans if they were obdurate, but that ruin would bring "no advantage" to Breadalbane and his friends. Lochiel, "your doited cousin," was giving trouble: "I think the clan Donell must be rooted out, and Lochiel."

The terms to "root out" and "extirpate" appear from their use in former proclamations against clans, by the native kings, not to mean *extermination*, but the reducing of a clan with lands and a chief to the position of "a broken clan," landless and chieftless. The Macgregors, with their "name that is nameless by day," are an example of a clan "rooted out." "To destroy them by fire and sword," said the Parliamentary Commission which investigated the Glencoe Massacre in 1695, "is the actual style of our commissions against intercommuned rebels."⁴⁹ The Commission distinguished this old traditional kind of proceeding from the "barbarous murder" which was actually committed. "Leave the Macleans

to Argyll," says Dalrymple on December 2. Macleans and Macdonalds, in Kintyre, had often been "left to Argyll"; it was the regular process, much like our modern "punishment" of some barbarous tribe in the dark places of the Empire. The plan was a "survival," in 1691, but it was perfectly recognised as legal, and did not at all imply "extirpation" in the sense of "extermination." To execute the process on the great clans Donald and Cameron was, however, a really impossible extension of what might be tried on the Macleans in their island of Mull, but, in December, Dalrymple's letter shows that Breadalbane meant to make the attempt. Dalrymple's scheme of reconciliation was not a mere bribery of the chiefs; ancient feudal claims of superiority by Argyll, old grounds of many a sanguinary feud, were to be regulated under any scheme. Argyll, as well as the chiefs, must consent; if not, "that destroys all that is good in the settlement, which is, to take away grounds of hereditary feuds" (December 3).

Macaulay perceived that Dalrymple's aim, thus expressed, was thoroughly statesmanlike, but avers that "to the last moment he continued to flatter himself that the rebels would be obstinate. . . ." ⁵⁰ This is certainly incorrect up to December 3; Dalrymple would have preferred a peaceful settlement. But failing that, then Breadalbane's "scheme of mauling them" must be undertaken "with no delay." If the "scheme of mauling" means merely "a punitive expedition," it was in order, though planned on an impossibly extensive scale. The great clans could not be cooped up and massacred, like the MacIans of Glencoe, who dwelt in a valley four miles long, hemmed in by perpendicular cliffs, with rare passes, easily manned,—such is the local situation in Glencoe. Buchan's and Leven's regiments, with petards and guns, were, by the first plan, to take and garrison Glengarry's castle on Loch Oich, an operation of war. "Therefore look on, and you shall be satisfied of your revenge." ⁵¹ Of the whole state of things William was duly informed. Tarbet had discoursed the king on all these matters "*of the settlement,*" and William certainly consented to the regular and usual alternative of "a punitive expedition." ⁵²

This was barbarous, but not more barbarous than what was done when even the shellfish on the western shores were destroyed by Cumberland's soldiers in 1746.

However, as December 31 approached, the last day for taking the oaths, the clans, except Glencoe and Glengarry, did come in

and take the oaths, after Breadalbane had returned unsuccessful to London, bringing back the money, according to Burnet, though really he had not the money to bring! What money he had spent was his own.⁵³ * On January 7, 1692, Dalrymple wrote from London to Livingstone. All of Lochiel's lands and those of Keppoch, Glengarry, Appin, and Glencoe, he said, were to be destroyed: if the clans were obstinate, no prisoners were to be taken. The weather would make the work hard for the soldiers, "but it's the only time they [the Highlanders] cannot escape you, for human constitution cannot endure to be now long out of houses."⁵⁴ On January 9, however, it was understood in London that all the clans had taken the oaths. Dalrymple now wrote to Livingstone, on receiving his "flying packet" with this news, "I am sorry that Keppoch and MacIan of Glencoe are safe," for he had heard that Glencoe and others had submitted at Inveraray. Probably Hill, at Inverlochy, had told Livingstone that Glengarry had started for Inveraray to take the oaths, and Livingstone had inferred that he arrived in time, by December 31.⁵⁵ By January 11 doubts arose, and William sent orders to Livingstone to attack Glengarry and Glenmoriston, if still recalcitrant.⁵⁶ Dalrymple on January 11 still believed that MacIan of Glencoe was safe.

But on that very day, later, and as he was writing, he learned from Argyll that MacIan of Glencoe had not taken the oath. Argyll, doubtless, had news from his place, Inveraray, that MacIan had arrived too late, and had not taken the oaths till January 6. This was sharp work for the post of the period, but how else could Argyll have the information that the oaths had not been taken—in time? Ardkinglas, his kinsman, the Sheriff of Argyll, would send him an express. "At this news I rejoice," wrote Dalrymple, as soon as he heard it; "it's a great work of charity to be exact in rooting out that damnable sect [sept, probably], the worst in all the Highlands."⁵⁷

MacIan was the chief of that "sept" of Clan Donald which occupied the famous strath of the Coe or Coan. The name does not mean "the valley of weeping," as has been supposed, but probably signifies "the narrow glen." A stream, the Coe, flows through a bleak upland moor, broad enough, till it comes be-

* The traditional slander that Breadalbane helped himself to the money is unfounded.

tween the perpendicular cliffs wherein the tall narrow black portal of Ossian's Cave is remarked on the left hand, and the even more unapproachable rock called "the Chancellor" dominates the right, a haunt to this day of the fox and the eagle. The burn then flows through the shallow and swampy lochan, Loch Triachatan, where there was a cluster of cottages—a *clachan*; while on the left lies a deep narrow chasm, often tenanted in these old days by cattle raided from the lands of Breadalbane. The burn thence sweeps along, receiving at an elbow, on the left, a tributary—here was the village of Achnacon; then, through a wooded glen, it passes another village, Inverrigan. Between bushy slopes and grassy knowes the water reached the levels by the sea (Loch Leven), where the chief dwelt at his house of Carnoch, unless he chanced to be at Achnacon. The main part of the village of Glencoe to-day lies beneath a knoll where a graceful cross, erected by the last Macdonald of Glencoe, commemorates the massacre: cottages thenceforward line the road to Ballachulish on the sea levels.

The population, in 1692, dwelt mainly at Achtriachatan, Inverrigan, Achnacon, and hard by Carnoch. If the mouth of the pass by the sea, the ascent past Achtriachatan to the Moor of Rannoch, and the pass of the glen at Achnacon, were held by soldiers, all way of escape was barred by cliffs that few men could hope to climb—the wall of Bidean nam Bidan.

Such was the narrow domain of MacIan, an old man, but of great influence among the clans, and a foe of Breadalbane. There had been a stormy scene between the two chiefs when Breadalbane met the clans at Achallader in July, and MacIan's sons were told by him, at that place and time, that Breadalbane had threatened "to do him a mischief."⁵⁸

MacIan therefore had his warning, but it was not till "about the end of December" that he went to Inverlochy (Fort William), across the hills, some twelve miles north, and asked Colonel Hill to administer the oath. In summer, as we saw, his clan were ready to swear at Inveraray, where there was the sheriff; but the road thither in winter was long and extremely difficult, though trodden by the Macdonalds under Montrose.

Colonel Hill, a good-natured man, hurried MacIan from Fort William to Inveraray, with a letter bidding Campbell of Ardkinglas receive this wandering sheep. MacIan was now thoroughly fright-

ened: he crossed Loch Leven, and did not even rest at his house of Carnoch. He was stopped for twenty-four hours at Barcaldine by Captain Drummond, and reached Inveraray about January 3, 1692; but the weather was such that Ardkinglas, the sheriff, for three days could not join him. Ardkinglas scrupled about administering the oath, but was moved by the tears of MacIan, on January 6. The certificate, with Hill's letter, was despatched to Colin Campbell, Sheriff-Clerk of Argyll, in Edinburgh, with a request that he would reply as to whether the submission was accepted. A Judge, a Writer to the Signet, and the Clerk of the Privy Council, Sir Gilbert Elliot, all testified that they saw the submission, undeleted. The Clerks of the Council, however, not knowing whether they should receive it, had consulted the Judge, Lord Aberuchil, asking him to advise with some Privy Councillors. He did so, and they, especially Lord Stair (Dalrymple's father, not named by Aberuchil in his deposition), said that without the king's warrant the document was useless, and Colin Campbell ran his pen through it, and gave it to Moncreif, Clerk of Council. Dalrymple, in London, does not seem to have been consulted, and it does not appear that the matter was laid before the Privy Council in Edinburgh.⁵⁹ It seems to be by error that Mr Hill Burton says that the deleting of the submission, "if not done by Dalrymple's own hand, was done to fulfil his views." Dalrymple was not in Edinburgh (perhaps his father is meant?), nor is there any evidence that the paper was sent to London.⁶⁰

MacIan went back to his glen thinking that all was well. On January 16 William signed a letter to Sir Thomas Livingstone, commanding in the Highlands. The Jacobite generals, Buchan and Cannon, he said, had passes to go to Leith and to the Netherlands. Glengarry and his clan might take the oaths in Livingstone's presence if they gave up the castle. Their lives would be safe; for their estates they must trust to the king's mercy. If the Castle of Invergarry were too strong to be taken, then Glengarry, on handing it over and taking the oath, was to receive "an entire indemnity for life and fortune." It would be better that "they should be obliged to render upon mercy," as they had outstayed the date of December 31, 1691, but if the castle could not be reduced, then absolute indemnity should be offered.

He went on: "If MacIan of Glencoe and that tribe can be well separated from the rest, it will be a proper vindication of

public justice to extirpate that sect of thieves." A duplicate was sent to Hill, at Inverlochy.⁶¹ Now, in London, Dalrymple, we saw, on January 9 had heard that MacIan had taken the oaths at Inveraray. On January 11 we saw he heard from Argyll that MacIan had *not* taken the oaths. Probably he had learned that the oaths were taken too late, like those of Glengarry, and he saw his chance. William must have known whatever it was that Dalrymple knew, and he signed the order to "extirpate that sect of thieves." In all probability William merely meant to send "a punitive expedition," wishing, as Dalrymple wrote on January 16, that "the thieving tribe of Glencoe may be rooted out in earnest."⁶² But did William know the deadly earnestness of Dalrymple's purpose? On January 16 Dalrymple wrote to tell Hill that Argyll and Breadalbane had promised to hem off fugitives into their bounds, that "the passes to Rannoch, &c. [&c. meaning Lochaber], would be secured, and that a party at Island Stalker [the castle on an isle off Appin] must cut them off"; while to flee by boat across Loch Leven left the MacIans to the mercy of the garrison at Inverlochy, and of Argyll's men in Keppoch, now told off to assist the garrison there.

If William knew these details, he knew that the scheme did not mean "uprooting" the MacIans, in the sense of driving them away,—a broken clan,—but aimed at *absolute extermination*. Such were Dalrymple's orders of January 16, January 30.⁶³ Not a cranny was to be left open to the fugitives. The MacIans were to be taken and slain in a net which had not one broken mesh. Did William know? He never would punish his instruments; the rest is between himself and his Maker. Be it observed that for Dalrymple's plan, as it stood on January 30, no domestic treachery was necessary, no acceptance of Highland hospitality, to be repaid by "the felon steel." The mere disposition of the forces, and an onslaught *by day*, were all that Dalrymple needed for the success of his scheme of absolute extermination. His officers acted in the dark of night, on a system of unheard-of treachery, but happily blundered in its execution. When William, later, gave Dalrymple (by that time Viscount Stair, and expelled from office) a general indemnity, he stated that Dalrymple, being in London, knew nothing of "the manner of execution," which "was contrary to the laws of humanity and hospitality." That was true, but Dalrymple's own strategy meant absolute extermina-

tion, and nothing short of that, though he did not suggest an onfall by treachery. The glen was to be netted, and no prisoners were to be taken. The guilt of that resolve lies on Dalrymple's memory, and the memory of William must take its chance.

As for the actual assassins, Hill, who could scarcely help himself except by sending in his papers, left the command of his part of the forces to Lieutenant-Colonel Hamilton. He was apprised by Livingstone, from Edinburgh (January 23), that "the order is positive to me from Court not to spare any of them" who came in after December 31. "Do not trouble the Government with prisoners." If Claverhouse had written thus, we may imagine the virtuous indignation of the Historic Muse.⁶⁴ At Court, by this time, it was known that MacIain had taken the oaths, but too late.

Campbell of Glenlyon commanded the 120 men who peacefully entered Glencoe and were billeted in the cottages on February 1. Old MacIain's son, Alexander, had married a niece of Glenlyon, and the military party drank, dined, and played cards at the houses of the chief and his sons, whose throats they were determined to cut.

On February 12 Hill gave his Lieutenant-Colonel, Hamilton, written orders to march with 400 of the Inverlochy garrison to Glencoe, where 400 of Argyll's regiment, under Major Duncanson, would aid them in executing Livingstone's orders. Hamilton communicated this command to Duncanson. All were to be at their posts by 5 A.M. on the following day, Duncanson watching the southern exits, and especially taking care "that the old fox nor none of his cubs get away." All boats were to be moored on the northern side of the narrow ferry of Ballachulish. Duncanson, on February 12, conveyed the orders to Glenlyon. No man under seventy was to be spared. The massacre was to begin by 5 A.M. whether Duncanson had arrived or not. "This is by the king's special command, . . . that these miscreants be cut off, root and branch." Duncanson's message had only to travel some four miles, from Ballachulish to Glenlyon in Glencoe.

According to the tradition of the glen, the cottars and soldiers were taking part in some sports in the afternoon of February 12, in a field near the monumental cross of to-day. A large boulder stands there erect, and one of the soldiers, slapping it with his open hand, said—

“Thou grey stone of the glen,
Though great is thy right to be in it,
If thou but knewest what is to happen this night,
Thou wouldst not abide here.”

Some clansmen are said to have acted on this warning. (The original is in Gaelic verse.*)

At five in the morning of February 13 Lieutenant Lindsay with a few soldiers roused MacIan, were admitted, shot the chief, and stripped Lady Glencoe's rings from her fingers with their teeth! Two or three men were shot. Soldiers called to young Glencoe before dawn, and he slipped up to Inverrigan, where Glenlyon was quartered. He and his men were arming, and explained that they were going to set out against the Glengarry Macdonalds. Had mischief been meant, Glenlyon said that he would have warned the husband of his niece. Young Glencoe went back to bed, his servant again roused him, he saw twenty soldiers approaching with fixed bayonets, took to the hill, and heard the shots at Achnacon, where Achintriachatan and four others were killed. He was then joined by his brother Alexander, and now the sounds of shooting at Inverrigan reached their ears. At Inverrigan nine men were caught, bound, and shot. Captain Drummond prevented Glenlyon from sparing a lad of twenty; a boy who pitifully implored mercy of Glenlyon was done to death; a child's hand was found lying loose,—for the child the foxes and eagles may have accounted. Three or four women perished by sword or shot, the houses were burned, and about 1000 head of cattle and horses were driven away.

But Hamilton, who now came down from the upper end of the glen to stop the passes, had moved too late, and failed to keep tryst. The glen therefore was not netted, and probably not more than twenty-five or thirty persons died by shot or steel. The blundering Hamilton arrived in full daylight, to find blackened huts, corpses lying across the doorways, and a survivor of the age of eighty, whom he shot. Probably some of the weaker fugitives died of cold and hunger. We hear of no resistance, except in local tradition, which points out a field as the burying-place of two or three soldiers.

On the 5th of March Dalrymple writes to Hill: “There is much

* “The Massacre of Glencoe,” Melven. This is an excellent account of the topography, and a good criticism of the whole affair.

talk of it here that they are murdered in their beds after they had taken the allegiance; for the last, I know nothing of it. I am sure neither you nor anybody empowered to treat or give indemnity did give him the oath, and to take it from anybody else after the date [diet] elapsed did import nothing. All I regret is that any of the sect got away, and there is necessity to prosecute them to the utmost.”⁶⁵ But this cruel man was disappointed. On October 3 Hill received the Glencoe men into peace.⁶⁶

Though the affair was known in London on March 5, it was unnoticed by the news-sheets. ‘The Paris Gazette,’ in April, published a brief but fairly accurate account of the massacre of Glenlyon, dated Edinburgh, March 22, 1692; it was erroneously said that two of MacIan’s sons were slain. The Whig story was that MacIan had been taken in an ambuscade, sword in hand. In April 1692 a printed letter told the tale: for some apologetic reason Macaulay tries to make out that this paper was of 1693.

On March 6 William went to his glorious wars, and the affair does not seem to have interested him in any degree. But the soldiers said that MacIan “hangs about Glenlyon night and day,—you may see him on his face.” Dalrymple had expressed his mortification at the failure of his strategy; and it is not matter of marvel that Claverhouse, who knew the man, greatly disliked Dalrymple. In later years a Stair is said to have paid a man to murder James’s son, the Chevalier de St George, at Avignon,—a fact of which there is but shadowy evidence.⁶⁷

By way of relief to the black tragedy of Glencoe, there occurred a very gay and gallant feat of arms by four young cavaliers. At Cromdale Haughs Livingstone took, in the night surprise, four officers of Dundee,—Middleton, Haliburton, Roy, and Dunbar, names worthy to be remembered. They were placed in the fortress on the island rock of the Bass, “a solid mass of trap” which stands sheer out of the sea, the counterpart of North Berwick Law on the mainland. Except for a rocky shelf on which the ruins of the fortress and prison stand, and the grassy top of the Bass, all is perpendicular cliff, beaten on by every wind that blows and haunted by innumerable sea-birds. On this rock had been imprisoned many of the saints of the Covenant, including the prophet, Mr Peden; Mitchell, who shot the wrong bishop when aiming at Sharp; Mr Blackader, and others. Here Peden was visited by an angelic form; here he predicted the end of a lass, who was pres-

ently reft from her lover's side by a gust of storm and carried down by the wind to the sea. The prisons of the Bass, which had rung with psalmody, heard a different sort of singing soon after the cavaliers were lodged therein.

On June 16, 1691, the sergeant commanding in the Bass sent his garrison, as was usual, down to the shelf of rock which constituted the landing-place, with orders to take in a cargo of coal. He then, according to Livingstone, released Roy, Middleton, Hali-burton, and Dunbar, who overcame the solitary sentry, trained the guns on the soldiers below, and offered them their choice of standing fire or taking passage in the collier to Edinburgh. They preferred the latter alternative, and for nearly three years, till June 1694, the cavaliers kept flying the flag of King James.⁶⁸ The dauntless four men were joined by other adventurous blades. They were provisioned by two French men-of-war; and, as they had two boats, they raided far and near, seizing sheep that were pastured on the Isle of May.

There was something very heartsome, as the Scottish say, in this adventure. The little garrison made prize of several passing ships, and drove off two English frigates, one of sixty, one of fifty guns, with shattered sails and rigging. They were provisioned by help of a Mr Trotter, who, unfortunately, was taken and hanged opposite the Bass. The garrison disturbed the ceremony with their guns, but Trotter had to suffer. Meanwhile warships watched the rock so closely that in June 1694 the cavaliers sent in a flag of truce. They received the Government's negotiators well, entertained them with French wine and dainties, hoarded for the purpose; stationed dummy figures of soldiers on the higher walls, and altogether made so brave a show that their unprecedented terms of surrender were accepted. They departed with all the honours of war, with an absolute indemnity, and with whatever they had taken as prize, while all their abettors were pardoned. This splendid close to their gallant feat they owed to their courage and address; for of their number not only Trotter, but a Captain Middleton (not the cavalier of that name who commanded on the rock for King James) and two others, were taken and were condemned, but seem not to have been executed.⁶⁹

The affair of the Bass probably gave William little uneasiness, and the Massacre of Glencoe gave him no uneasiness at all, till public opinion later called for an inquiry. What did concern him

was the reviving spirit of unrest among the Presbyterians, and the anomalous and melancholy condition of the lately conformist clergy, as represented to him by the Rev. Dr Canaries. Carstares and men of his moderate opinions were nervous about the next meeting of the General Assembly. The Kirk had a legal right to a yearly Assembly: that of 1691 had been adjourned, and the next Assembly met on January 15, 1692. It was, apart from justice and Christian charity, in the interest of William that the late Episcopal incumbents, if they took oaths of allegiance, should remain in their parishes and be represented in the Assembly. This was the one way of winning them from Jacobitism, and of preventing them from arousing dangerous sympathy among churchmen in England. But the Assembly of 1692, consisting of but 170 members, was not in a placable temper. In the Kirk were many ministers much in sympathy with the Cameronians, though not inclined to abandon their cures and go out into the wilderness. These men were found not so much among the aged "sufferers" as in the new generation.

Polwarth, now Lord Polwarth, and *rallié* to the Government, wrote to Portland (January 26, 1692), "The Assembly is a set of men much younger and hotter-spirited than the last was." The lay members from the western shires were youthful and zealous. After three weeks they had not satisfied the king's desire "by receiving such conformists to prelacy as are orthodox, free of scandal, &c." The Committees were eager to make strait the way of return into the fold. On February 13, 1693, the Commissioner, Lothian, dissolved the Assembly. The Moderator wanted to speak, but Lothian said that he could only now be heard as a private person. The Moderator asked him to appoint a day for the next meeting. Lothian said that the king would do so when he chose. The Moderator, Crichton, "a man of a somewhat violent character," says Polwarth, asserted that "the office-bearers in the House of God have a spiritual intrinsic power from Jesus Christ, the only Head of the Church, to meet in Assemblies about the affairs thereof," and he named a day, August, the third Wednesday, 1693.⁷⁰

The Assembly, however, did not meet, even in the scanty form of the Assembly of Aberdeen under James VI. The declaration which would have satisfied William on the part of the Episcopal clergy only set forth that they "will submit to the Presbyterian form of Government"; it did not say that no other form of Church

Government was genuine, though the conformists were to accept the Confession of Faith and the Catechisms. If admitted, they would have been in a majority, and it was not in nature that the Presbyterians should welcome them.

The Estates met on April 18, 1693, under a Commissioner ungrateful to the Presbyterians, Hamilton, now reconciled to William again. He had heartily opposed the sanction given earlier to the rabblings of curates executed by the Brethren after the Revolution. New violence was done on May 19 to the Presbyterian and Jacobite consciences. Ministers were to take the oaths of allegiance and acknowledge William and Mary as king and queen *de jure*. What right had the State to impose obligations, good enough for Highland chiefs, on ministers of the Gospel as a condition of office, without the consent or command of the courts ecclesiastical? The conformists were also hit (June 12) by an Act for "settling the quiet and peace of the Church," a body which has seldom evinced an inclination to be peaceful and quiet, especially in obedience to the dictates of the State. A General Assembly was also summoned, by secular authority, for the following year, and members of the Assembly who did not come in within a month were to be deprived of their livings,—deposed by lay authority.⁷¹ Some of the English Presbyterians, in a letter to their Scottish brethren, declared that the Bill "threatened Presbytery in Scotland with a fatal blow." Grub thinks their letter a Jacobite forgery; if so, it is a good and amusing one. The Kirk, says the letter, was "wounded in a most sensible manner," as it was taken for granted by the State that there was "no Assembly in being." The Bill aimed at "the extinguishing rather than the calling of General Assemblies," at "ruining you with the present and rendering you infamous to all future generations." "The Church shall be miserably enslaved, and ministers necessitated to juggle with almighty God by oath." The preachers were obliged in duty to "assert a king-dethroning principle," the principle dear to Knox and George Buchanan. Was William king by blood, election, or conquest? No mortal could say. William was hostile, and it was now the interest of James to support the Kirk. Even Episcopalians in England were often nonjurors, much more should pure Presbyterians refuse the oaths. William's advisers "would gladly see all Churches and their discipline destroyed."⁷² Apparently these English Presbyterians preferred a chastened James to an exuberant William. But were the writers English Presby-

terians? They well understood the old Presbyterian mode of expression, whoever they were.*

The new Assembly, summoned by the king for December 6, 1693, was adjourned to March 29, 1694, Lord Carmichael being Commissioner. Government had given in, the oath of allegiance was not imposed, yet Bible-loving Crawford had approved of the oaths.⁷³ Of what were William's advisers afraid? The Presbyterians could hardly become Jacobites! But the times were ticklish, and the Government quailed. There is a well-known story that Carmichael sent a flying packet to William advising submission, while the preachers sent an appeal to Carstares. He was out of town, and came to Kensington after Dalrymple, a stern young man, and Tarbet had persuaded William to be resolute. The king's despatch was written, sealed, and in the hands of the messenger. Carstares took it from the man. It was now late at night; he disturbed William in bed, and said "he had come to ask for his life," since he had interfered with the messenger. The king was angry, but listened. Carstares explained that his Ministers had succeeded in uniting Presbyterians and Jacobites, and that the king by cancelling his despatch would win the hearts of the Presbyterians. William saw the point; he bade Carstares burn his letters and write others of the opposite tendency.⁷⁴

The Assembly, thus happily escaped from peril, met in a complacent humour both towards convertible conformists and Cameronian malcontents. They did convert a few Episcopal ministers, and one or two others were deprived. In 1695 many were allowed, by Act of the Estates, to hold their parishes, though they could not take a share in Church Government: 116 now came in.⁷⁵ On the whole the Episcopal party tended to dwindle, the Bishops had no Sees, and the clergy became more and more the tutors in Jacobite families, as of the Earl Marischal, and the repositories of Jacobite principles, while the Cameronians clung to the Covenant and were a people apart.

* The author regards this letter as a clever Jacobite piece of irony.

NOTES TO CHAPTER II.

- ¹ Lockhart to Melville, Leven and Melville Papers, pp. 232, 233.
- ² Leven and Melville Papers, pp. 238, 239, 245, 246, 295.
- ³ Leven and Melville Papers, p. 259.
- ⁴ Scots Episcopal Innocence, 1694.
- ⁵ A Continuation of the Answer to the Scots Presbyterian Eloquence, p. 34 : 1693.
- ⁶ Leven and Melville Papers, pp. 296, 297.
- ⁷ Leven and Melville Papers, p. 293.
- ⁸ Burnet, iv. 60-66.
- ⁹ Annandale's Confession, August 14, 1690 ; Leven and Melville Papers, pp. 506-509.
- ¹⁰ Leven and Melville Papers, p. 380.
- ¹¹ Leven and Melville Papers, p. 414.
- ¹² Leven and Melville Papers, p. 430.
- ¹³ Balcarres, Memoirs, p. 60.
- ¹⁴ Act. Parl. Scot., ix. 110, 111.
- ¹⁵ Act. Parl. Scot., ix. 113.
- ¹⁶ Hill Burton, vii. 431. Note 1.
- ¹⁷ Balcarres, Memoirs, pp. 61-64.
- ¹⁸ Leven and Melville Papers, pp. 437, 438.
- ¹⁹ Act. Parl. Scot., ix. 133, 134.
- ²⁰ Act. Parl. Scot., ix. 170.
- ²¹ Act. Parl. Scot., ix. 198, 199.
- ²² William to Melville, June 9, 1690.
- ²³ Ferguson the Plotter, pp. 284, 285.
- ²⁴ Act. Parl. Scot., ix. 191.
- ²⁵ Leven and Melville Papers, pp. 523-525.
- ²⁶ Leven and Melville Papers, pp. 582, 583.
- ²⁷ Crawford to Melville, Oct. 9, 1690 ; Leven and Melville Papers, p. 539.
- ²⁸ Crawford to Melville, Oct. 9, 1690 ; Leven and Melville Papers, pp. 541-544.
- ²⁹ An Historical Relation of the Late General Assembly, p. 23 : 1691.
- ³⁰ Monro in Grub, Ecclesiastical History of Scotland, iii. 319, 320.
- ³¹ Grub, Ecclesiastical History of Scotland, iii. 325-327.
- ³² An Historical Relation of the Late General Assembly, pp. 36, 37.
- ³³ Faithful Contendings, pp. 448, 488.
- ³⁴ Leven and Melville Papers, pp. xxiv-xxvii. Note.
- ³⁵ Memoirs of the Lord Viscount Dundee, by an Officer of the Army : 1714.
- ³⁶ Leven and Melville Papers, p. 553.
- ³⁷ Leven and Melville Papers, p. 585.
- ³⁸ Leven and Melville Papers, p. 613.
- ³⁹ Leven and Melville Papers, p. 618.
- ⁴⁰ Highland Papers, Maitland Club, p. 22 ; Culloden Papers, pp. 18, 19.
- ⁴¹ Highland Papers, p. 40.
- ⁴² Highland Papers, p. 45.
- ⁴³ Leven and Melville Papers, p. 647.

- ⁴⁴ Highland Papers, p. 28.
- ⁴⁵ Highland Papers, pp. 35, 37.
- ⁴⁶ Leven and Melville Papers, pp. 649, 650.
- ⁴⁷ Leven and Melville Papers, pp. 422, 423.
- ⁴⁸ Sir John Dalrymple, *Memoirs of Great Britain and Ireland*, ii. 210 : 1773.
- ⁴⁹ State Trials, xiii. 904.
- ⁵⁰ Macaulay, iii. 520-522.
- ⁵¹ Dalrymple, ii. 216, 217.
- ⁵² Report of the Glencoe Commission, 1695.
- ⁵³ Highland Papers, pp. 55, 56.
- ⁵⁴ Highland Papers, pp. 57, 58.
- ⁵⁵ Highland Papers, pp. 58, 59.
- ⁵⁶ Highland Papers, pp. 60, 63.
- ⁵⁷ Highland Papers, p. 62.
- ⁵⁸ State Trials, xiii. 897 ; Highland Papers, p. 101.
- ⁵⁹ State Trials, xiii. 898-900.
- ⁶⁰ Hill Burton, vii. 402.
- ⁶¹ Highland Papers, p. 65.
- ⁶² Highland Papers, p. 66.
- ⁶³ Highland Papers, pp. 60-71.
- ⁶⁴ Highland Papers, p. 69.
- ⁶⁵ Highland Papers, p. 75.
- ⁶⁶ Highland Papers, pp. 85, 86.
- ⁶⁷ Gualterio MSS., Add. MSS. British Museum, 20. 311, f. 342. Mr Paget's *Paradoxes and Puzzles*, pp. 32-76, contains a good account of Glencoe, in criticism of Macaulay. See also A Letter from a Gentleman in Scotland, April 20, 1692 ; and Gallienus Redivivus, in *Memoirs of Dundee*, 1714.
- ⁶⁸ Leven and Melville Papers, p. 622.
- ⁶⁹ State Trials, xiii. 843, 878 ; *Memoirs of the Rev. John Blackader*, Appendix ; *The Siege of the Bass*, in *Memoirs of the Lord Viscount Dundee*, 1714.
- ⁷⁰ Marchmont Papers, iii. 401-407 ; Grub, *Ecclesiastical History of Scotland*, iii. 328, 331.
- ⁷¹ Act. Parl. Scot., ix. 262-264, 303.
- ⁷² M'Cormick, Carstares, pp. 51-57.
- ⁷³ Secretary Johnston to Carstares, May 19, 1693 ; M'Cormick, Carstares, p. 179.
- ⁷⁴ M'Cormick, Carstares, pp. 58, 62. Hill Burton and Grub doubt this family story, told by M'Cormick, grandnephew of Carstares. Principal Story defends it (William Carstares, p. 235). Probably the influence of Carstares prevailed, whether in picturesque circumstances or not. Grub, *Ecclesiastical History of Scotland*, iii. 333, Note 1. Hill Burton thinks the story a Märchen,—“these beggings for life after a bold act are a common State anecdote, repeated in all ages and nations.” The begging for life is almost certainly a myth.
- ⁷⁵ M'Cormick, Carstares, p. 263 ; Ogilvy to Carstares, Oct. 26, 1695.

CHAPTER III.

THE EAST INDIA COMPANY. THE DARIEN DISASTER.

1693-1702.

THE blood of the MacIans had cried from the earth, vocal in Jacobite pamphlets, and in the mouths of the countless enemies of Dalrymple. In 1693 William had been induced to commission Hamilton and others to inquire into the matter, but the death of Hamilton was the cause or excuse for delay. When the Estates met, in May 1695, as William was starting for the Continent, they were gratified by the receipt of a Latin document appointing a commission of inquiry, under Tweeddale the Commissioner, Annandale the traitor, Cockburn of Ormiston, and several of the judges.¹ Political and religious prejudice apart, and despite the indifference of Lowlanders to whatever was done in the Highlands, "murder under trust" was the last crime that the country could overlook or forgive. On June 10, also, it was determined to try Breadalbane for treason, in connection with his negotiations for peace in the Highlands, the charge which William and Dalrymple had scorned.² Whatever the methods of Breadalbane had been, peace had followed, partly in consequence of the defeat of James's French allies at La Hogue. On June 14, and on later days, the report of the Glencoe Commission was demanded; on June 20 the commissioners informed the House that it was ready, but "in decency" must first be sent to the king. But, judging from a letter of Argyll to Carstares, the delay was only for three days:³ it may be remarked that Carstares has left no expression of his own opinion of the massacre. The report was read on June 24. The House, as we shall see, cleared the character of the king; and, whether as a reward or not, the Bill for the founding of the

Scottish East India Company, generally known in connection with the ruinous Darien expedition, was introduced on June 26.⁴ The Glencoe report stated, with precision, the events as we have already described them, giving special attention to the evidence of MacIan's sons as to the threats of Breadalbane in July 1691 and to Dalrymple's letters. There was also evidence from officers of Hill's regiment, two of whom, in a pamphlet of 1692, are said to be in prison at Glasgow for having refused to take part in the crime. The officers cited were Major Forbes and Lieutenants Francis Farquhar and Gilbert Kennedy: the two last may have been the honourable men, alluded to by the pamphleteer, who would not share in the crime.

The Commission decided (1) that "a great wrong" was done in not presenting MacIan's submission to the Privy Council, and was committed "with a malicious design against Glencoe." But the designers were not named, and escape in a cloud. (2) The commissioners held that Dalrymple knew (indeed he had written on January 30, to Livingstone, that he was glad of the news) that MacIan had overstepped the time prescribed for taking the oath, yet had taken it. The king's instructions permitted, as in the case of Glengarry, the admission of the dilatory, yet Dalrymple did not countermand the orders for massacre given by William on January 16, 1692. In fact, the admission of the dilatory seemed especially to apply to Glengarry. By what looks like a quibble, the language of William's order of January 16, 1692, was held to imply that Glencoe, too, might be received to mercy.⁵ (3) Dalrymple's letters, the report said, "quite exceeded the king's instructions"; and they did, so far as the plan, carefully laid for *exterminating* the clan, outruns the order for "extirpation," taken in the sense of uprooting the clan out of its glen. The result of Dalrymple's letters was "a barbarous murder." Parliament now examined the case in detail, and, on July 2, heard and exonerated Hill.⁶ A warrant was granted for the citation of Hamilton, who commanded the party at the upper end of the glen, but he fled from the country. It was decided to prosecute him, and to request the king to send home for trial Duncanson, Lindsay, a Sergeant Barber, and others especially guilty.⁷ The king was also invited to relieve the distress of the MacIans.

On July 10 the House, in an address to William, extolled his clemency and mercy, as exhibited (rather obscurely) in the affair

of the massacre. He had "offered mercy" (in a manner not conspicuous), and yet the men had been killed. This was murder—by somebody. Dalrymple had exceeded the royal orders; Livingstone was covered by Dalrymple's orders; Hill was exonerated; the subordinates were in Flanders. As for Dalrymple, "we beg your Majesty will give such orders about him, for vindication of your Government, as you in your Royal wisdom shall think fit."⁸ Thus Dalrymple was left in the king's mercy, while his Majesty was asked to sanction the prosecution of the agents, from Hamilton to Sergeant Barber. It is difficult to evade Macaulay's argument that disobedience by the subordinates to military orders would have been morally virtuous but legally criminal. Two lieutenants, we know, are said to have disobeyed. The Estates really could not ask for the trial of Dalrymple,—William would certainly not concede that point: indeed, how could the case be honestly tried, if William did not himself appear as a witness in court? William under cross-examination would have been a pleasant spectacle! Again, we cannot suppose that Dalrymple, now Stair, knew beforehand that the attack, though designedly murderous, was to be "murder *under trust*."

William was far away. He dismissed "Viscount Stair" from office (all that his enemies could really hope for), and he gave him an indemnity, the murder under trust being described as "a fault in the actors, or those who gave the immediate orders on the place." Stair had "no hand in the barbarous *manner* of execution," with which, however, he thoroughly sympathised, regretting that any had escaped. Finally, "as a mark of his favour to John, Viscount Stair," William gave him grants of teinds in Glenluce! Not one of the murderers was punished, none was tried, all were promoted, though as to Sergeant Barber history saith not.⁹

Macaulay speaks of William's clemency as "a great fault." It is certain that William thought Dalrymple, who had his ear, did nothing wrong. It was quite customary—it remained customary for some time—to give orders for uprooting clans.¹⁰ Stair's orders, however, had arranged that extirpation should be actual extermination: William, knowing that, saw no harm in that. It is an inexplicable blot on the character of a great, brave, wise, tolerant, and very useful man, and there is no more to be said.

The Estates, in addition to passing the Bill for the Scots company trading to the Indies,—in its consequences ruinous to the

finances of Scotland, and injurious to the character of William,—confirmed an Act of Charles II. against blasphemy, reasoning against the existence of a Deity, railing at the persons of the Trinity, and so on. Offenders were to be imprisoned till they did penance in sackcloth (“Rags of Popery”); for the second fault, a heavy fine, for the third, death was decreed.¹¹

The Restoration, at least in England, had been fertile in advanced religious speculation. Glanvil, More, Bovet, and others, like Telfer and Sinclair in Scotland, had combated materialism with the facts and theories of psychical research, in narratives of the Drummer of Tedworth, the Dæmon of Spraiton, the Poltergeists of Glenluce and Rerrick: in the last case the evidence, collected by the Rev. Mr Telfer (whom we shall meet again), is really good and strong. These old compilers of ghost stories certainly prove, by their contentions against it, the popularity of what they sweepingly style “Atheism.” In Scotland witches were now, and for several years later, being tried and burned—a fate shared by books deemed heterodox. Capital punishment for blasphemy seems to have been rare; but Principal Baillie of Glasgow, and Professor Sinclair in his ‘Satan’s Invisible World Disclosed,’ mention a sturdy beggar who was hanged at Dumfries for saying that “he knew no God but salt, meal, and water.” He was suspected of having set the devil to work in the case of the Poltergeist disturbances at Glenluce.

In 1696, after the revival of the Acts against blasphemy, a lad named Thomas Aikenhead was accused by that fickle politician, Sir James Stewart, then King’s Advocate, of railing upon or cursing one of the persons of the Trinity,—an offence punishable with death under an Act of the first Parliament of Charles II. This Act, as we have seen, had just been revived, in 1695, with three grades of penalties, culminating in death. The offender was a minor, the son of a not very reputable apothecary. Aikenhead, who may have heard of Spinoza, was accused of saying that the Pentateuch was post-Exilian, a fraudulent composition by Ezra; that our Lord was an impostor, who had learned magic in Egypt; that materialism is the only faith in which a man of sense can live and die,—with a great deal more of that free-thinking which is at least as easy as free. In England Aikenhead would have been a subject for the satire of Swift, and he was certainly a young fellow of great conceit and of very bad taste. He sent in a petition avowing the most extreme orthodoxy, and averring that he had only mentioned in

conversation the opinions with which he was charged as being those of certain writers whose books had been lent to him by one of the witnesses against him. He therefore asked the judge to "desert the diet"—that is, abandon the case. He had recanted and the Inquisition would not have taken his life. Five persons, summoned as jurors, refused to attend, and were fined a hundred merks each. The witnesses were students and clerks, most of them minors.

To judge by the evidence, which runs in a stereotyped form, Aikenhead was a very inconsistent unbeliever. But he had no counsel, and was found guilty and condemned to be hanged on January 8, 1697. Aikenhead petitioned for a respite, that he might be reconciled to heaven, and might listen to godly ministers. It was argued that one of the witnesses, a wretch named Mungo Craig, who had lent blasphemous books to the boy, alone alleged Aikenhead's use of the words which brought him under the death penalty. The celebrated John Locke advocated this view in a letter to Sir Frederick Masham (Feb. 27, 1697). Lord Fountainhall, the Judge and Diarist, with Lord Anstruther, visited the condemned boy, and pled for mercy before the Privy Council. "It was told," writes Anstruther, "it could not be granted unless the ministers would intercede; . . . but the ministers, out of a pious zeal, spoke and preached for cutting him off. . . . Our ministers generally are of a narrow set of thoughts and confined principles. . . ." It appears that two ministers did make an effort; however, the Chancellor, Polwarth (the Earl of Marchmont), delivered in the Privy Council his casting vote against mercy, and Aikenhead was duly hanged. The Rev. Professor Halyburton of St Andrews, who confesses his own early struggles against unbelief, calls Aikenhead "an inconsiderable trifler," which is true enough, but to hang him was no inconsiderable error. "Wodrow has told no blacker story of Dundee," says Macaulay, rather fatuously. When his own History appeared, he was attacked for inaccuracy in an Edinburgh newspaper, 'The Witness,' and defended by a Unitarian preacher, Mr Gordon, from what Macaulay himself calls "idle and dishonest objections."¹²

The affairs of the Kirk were now for some time condemned to the background of politics: a lively interest had arisen in Scottish commerce, and events occurred which proved that Scotland must sever her connection with England, or be joined

to her in a Union. Throughout the one hundred and thirty years that followed the Reformation, the history of Scotland seems mainly concerned with religious issues. There is the long war for "spiritual independence," which involves the right of the Kirk to coerce the State; and there is the counter-struggle by the State for secular freedom,—a battle in the course of which the Kirk is often coerced. This contest so completely fills the historic field that we scarcely notice things done in a corner,—the attempts made to found Scottish industries, and to find some outlet for Scottish products. Yet through the hundred and thirty years of secular and religious war many *douce* Scots, merchants and burgesses, must have been tempted to invoke a plague upon "both your houses," the preachers and the persecutors. Poverty was ever the mate of Scotland as of Hellas. Her poverty gave England the power to purchase Scottish statesmen, or at least to influence them in favour of the policy of the English Court. Poverty drove the flower of the youth to emigrate and seek fortune, whether as scholars, merchants, or men of the sword. To poverty was due the inefficiency of the ill-endowed and often robbed universities; the squalor of streets and houses, reprobated by every traveller; and even the laxity of morals, for we are told that peasants could not afford to marry young, and therefore "*maun do waur.*" While Scottish industry and trade were hampered (as has been explained in vol. ii. pp. 552-555) by English jealousy, and by the strange economic ideas which prevailed; while to export eggs was reckoned a thing contrary to ordinary civility; while the trader opposed the introduction of English commodities, and was too proud and patriotic to learn from English teachers how to make shoes and soap,—Scotland must remain poor, and must suffer from English contempt and neglect.

These facts became obvious as soon as the rich and the poor country were united under a single king, James VI. and I. He made efforts to secure privileges for Scottish trading companies,—a Whale-Fishing and East India Scottish Company and others; but there was always a pre-existing English company, whose rights stood in the way. The Scots had to retire from the competition, now and then with some compensation for their outlay. Under Charles I., and again under Charles II., fishing companies were launched by energetic and speculative men, and were wrecked on

the reefs of local interests, of English and foreign competition, or died of lack of capital. In 1681 Scotland tried a scheme of Protection. The importation of fabrics in linen, cotton, and wool was forbidden, by way of encouraging home industries, while the exportation of lint and yarn was forbidden, and foreign raw materials were admitted free.

The records of the New Mills Company for manufacturing cloth (1681) show how the protective system worked. Scottish-made cloth was very expensive, and the Scottish Government made an exception for itself from its own rules, and imported English cloth for the army. Unofficial purchasers, following this high example, took to smuggling in English cloth. The New Mills Company was then given rights to search for smuggled cloth in private houses, and got the privilege by bribing persons in office. Such methods do not conduce to national prosperity.

After the *regifugium* of 1688, a good deal of capital which had been lurking timidly emerged from its shy retreats and sought investment under the Companies Act of 1681. Labour was in part provided by the Huguenots exiled from France by the Revocation of the Edict of Nantes. There was a period of inflated speculation in 1695-96. Many companies were floated for the most diverse purposes, and then came the inevitable reaction.

Scotland had been prohibiting the importation of the manufactured goods of other countries, especially of England. They retaliated: if Scotland excluded English cloth, England would exclude Scottish linen, the chief product of northern industry. Thus Scotland had no outlet for her manufactures, while she had prohibited the export of her raw materials. The owners of sheep could not sell their wool abroad; the Scottish cloth-makers might get that wool very cheap, but could find no foreign market for the cloth into which they worked it up.

It was during this deadlock that the scheme of a Scottish East India Company was conceived,—a Company trading in many places, as remote as Hindostan, and possessing a factory and *entrepôt* on the Isthmus of Panama. The world at large was expected to purchase Scottish products, and when the scheme took practical shape great consignments of heavy tweeds and serges, perruques, kid gloves, thick blue bonnets, and Bibles were hurried out to supply a non-existing demand, that of the natives of tropical America! Meanwhile capital was withdrawn from the new Scottish manu-

facturing companies and placed in the great East India project, where it all disappeared.*

The initiator of the Scottish Company trading to Africa and the East Indies, involving the Darien disaster, "was not a mere visionary or a mere swindler." He was no swindler, but, as a man of genius labouring under the irreparable misfortune of being in advance of his time and of the national conditions, he was a visionary.

William Paterson, son of John Paterson "*in Skipmyre*"—that is, tenant of Skipmyre¹³ (a farm of Sir Robert Dalrymple of Glenal, in the shire of Dumfries)—was born in 1658. Of his education nothing is known.¹⁴ In a memorial of Paterson to George I. (1714), he says that for twenty-nine years he "has had experience abroad and at home in matters of general trade and revenues," which takes us back to 1685.¹⁵ The pamphleteers accused Paterson of having begun his career as a pedlar, and of having been a missionary or a buccaneer (chaplain to a buccaneer?), or both, in the Spanish Main. How he came to travel in the neighbourhood of Panama is uncertain. We have no proof that, as a Westland Whig, he was "out" in 1679, at the date of Drumclog and Bothwell Bridge, and was sent to the plantations. He was a convinced Presbyterian, but a man of liberal mind.† It was as early as 1684 that Paterson conceived the idea of a colony in Darien, as he states to William in 1701.¹⁷ In 1692 he was in London, and concerned in a project of *la haute finance* which came before a Committee of Parliament.¹⁸ He is famous as "the chief projector" (so styled in 1711) of the Bank of England of 1694, and was one of the first directors, with a stake of £2000, which he sold out in 1695, presently repurchasing his stock.¹⁹ That he was "neglected" or "elbowed out" does not appear: he may have differed from his fellow directors on some point of business. In 1694 he successfully reorganised a fund for the benefit of orphans of London freemen.²⁰

* The author here condenses the lucid account of the economic conditions of Scotland given in Mr W. R. Scott's "Fiscal Policy of Scotland before the Union" ('Scottish Historical Review,' No. ii., pp. 173-190). In a series of articles, Mr Scott gives the history of the early commercial undertakings of the country.

† His family was in no way connected with the Patersons of Bannockburn, and "Clementina Paterson, daughter of Sir Hugh, and the first wife of the Pretender," as Mr Bannister says, thinking of Clementina Walkinshaw, and "making more mistakes than the words admit of."²⁶

It is plain that, in London, Paterson was a financial light; and he cannot, as Sir John Dalrymple says (writing in 1788), have had "few acquaintances and no protection." He twice married. His wives were English, and it is curious that he did not submit, as far as we know, the Darien part of his scheme to English capitalists in the first place. The drawbacks, sanitary and international, to the Darien settlements were so far from being obvious "to every coffee-house politician," that the English Council of Trade, in a document signed by the famous John Locke among others, advised England to steal Paterson's plan, and occupy a port in Darien before the Scots arrived!²¹

However it chanced, Paterson took his East India Company plan to Scotland, the scheme for a Darien colony being kept carefully in the background. Dalrymple says that he acted on the advice of that professional patriot, Fletcher of Saltoun, author of a notorious plan for reintroducing slavery. Dalrymple says—on the ground of "common report" apparently—that Fletcher introduced Paterson to Tweeddale, and by force of eloquence induced Tweeddale, Stair (Viscount Stair, the Glencoe man), Johnstoun, and Sir James Stewart to procure the Act of June 26, 1695, conveying to the Scottish East India Company "a patent, by way of Act of Parliament," as King William, we shall see, complains.²² Macaulay has adopted Dalrymple's story, adding, what is pretty obvious, that desire to soothe the public fury concerning Glencoe may have been a motive with Tweeddale. William, as will presently appear, thought that an advantage had been taken over him, in the "touching" of this Act, by his Ministers. On May 29, 1697, Sir Robert Murray writes to Carstares: "You know whence the *origo mali* was; but £4000 is a good reward for putting two nations by the ears."²³ Carstares may have known who paid, and who took the £4000, but we are without information.

We have seen that the Scottish East India Act passed on June 26, 1695. It seems to follow on an Act of 1693 for the Encouragement of Foreign Trade. It is announced that William promised to give Letters Patent under the Great Seal to companies dealing abroad. He understands that foreigners as well as natives of Scotland are "willing to engage themselves, with great sums of money, in an African, American, and Indian trade," to be exercised from Scotland. Now one chief cause of ensuing trouble

was that foreigners — namely, Englishmen — did take half the capital of the Scottish Company. That was part of Paterson's idea: he saw that Scotland alone could not supply capital for such an undertaking, and, when admitting England to a half share, probably hoped to enlist English backing in general, as well as English money. On this point he certainly reckoned in the style of a "visionary." His new Company not only aroused the jealousy of the English old and new East India Companies, but of the nation. Scotland was to be the *entrepôt* of the whole wealth of the East and West,—gold, spices, fabrics, and every sort of wares; and to the English people this meant that Scotland was to be one great smuggling concern. Holland, William's other realm, could not look on the prospect with more favourable eyes. Yet as early as December 10, 1695, when England was already murmuring, Sir James Ogilvy, writing to Carstares, hit the other fatal blot in Paterson's scheme, the blot which made English jealousy needless. There was nothing for England to fear. "I am sorry," writes Sir James, "our India Act occasions so much trouble, for I think it will do little hurt to England, *seeing we lack a fleet*." ²⁴

Thus Paterson's idea must be wrecked on English jealousy, and yet did not deserve to provoke jealousy, for Scotland had neither a fleet nor the material means of building a fleet, though the promoters appear to have expected to be backed by the English navy, on which it was obviously vain to rely.

These being the fatal faults of Paterson's great idea of a Scottish, African, American, and Indian trading company, how did William come to allow such a Bill to be "touched" with the sceptre and passed by his Commissioner, Tweeddale? Macaulay writes, "William had been under the walls of Namur when the Act for incorporating the Company had been touched with his sceptre at Edinburgh, and had known nothing about that Act till his attention had been called to it by the clamour of his English subjects." ²⁵ But it was William's business to know about that Act! This is true; but a march was stolen on William in his absence. In the Lords' Journals for December 18, 1695, he is quoted as saying, "I have been ill-served in Scotland. . . ." In a paper, Carstares' draft for a despatch to the Scottish Privy Council, the phrase occurs, "I have been ill-served in that matter by some of my Ministers whom I employed—since the instruction I gave contains only a warrant for an Act to be the ground of a patent in favour of foreign plantations, with such rights

and privileges as we grant in like cases to the subjects of our other dominions, *the one not interfering with the other*; but it leaves the granting of the patent to me, to be timed and ordered as I should see cause, so that I must say a patent by way of Act of Parliament was a surprise to me, having had no notice of it till it was past, nor had I any account of the particulars of it till I returned to England." Tweeddale, Secretary Johnstoun (son of the Covenanted Johnstoun of Waristoun), and other Ministers were therefore dismissed for misinforming William, or leaving him without full information.²⁶

On this showing, William incurs no blame for the portentous Act of June 26, 1695, and that Act once passed, the lamentable consequences were such as, with the best will, he was powerless to avert. The Act, in short, launched Scotland, of all nations, on a career of imperial aggrandisement, though all the coin in the country was estimated at £800,000, and though she had neither a navy nor any means of obtaining a navy. Alone she was to defy France and Spain and England. She gallantly threw down her glove!

The Act, of which William knew nothing in detail, granted the most sweeping powers to the Scots Company. Belhaven, Paterson, and several others were constituted directors: most of the directors were "merchants" in London or Edinburgh. One of the Londoners was a Cohen, a Jew; most were Scots by name. Subscriptions were to be received up to August 1, 1696. The lowest subscription was to be £100, the highest was limited to £3000. None of the property of the Company was to be confiscated for cause of breach of peace, or declaration of war by a foreign Power. For ten years the English Navigation Acts of 1661 were to be suspended as regarded the Company. Towns and forts may be built with consent of the natives on any land not possessed by any European Power, and the adventurers "may seek and take reparation of damage done by sea and land,"—a right which they exercised freely, even on the English. Ships shall return with their wares to Scotland only. If any State detains the Company's ships, "His Majesty promises to interpose his authority to have restitution." All concerned in the Company are declared free denizens of Scotland, as natives of this kingdom. His Majesty ordains Letters Patent under the Great Seal of Scotland, confirming all these privileges and others.²⁷

William cannot have known that he was committed to all this:

the chartering of a Company of "interlopers" into the privileges of his English East India Companies; the suspension of the Navigation Laws; the promise to support Scots who settled in lands where the rightfulness of the claims of European Powers were to be estimated by the Company. The Act was a wasp's nest of causes of English wrath and of foreign war. In October 1695 the books were opened in London, and the capital for England was subscribed: English East India Stock fell twenty points in a week. All was done in dèrn privacy, "and oaths of secrecy were taken."²⁸ Lords and Commons now united in an Address to the king against the Company. English commerce with America and Asia, it was argued, would be destroyed by the scheme.²⁹ William could only answer that he "had been ill served," and that he hoped the inconveniences arising from the Act might be remedied. The Commons ordered the seizure of the Company's books and papers: they examined and thoroughly frightened the English capitalists concerned: they examined the Scottish Secretary of the Company, Mr Roderick Mackenzie, and tried to extract from him information as to how the Act was procured.³⁰ They did not frighten Roderick, and he had his revenge on a later day. They voted that Belhaven and others should be impeached of high crimes and misdemeanours, as if they were English subjects. They were, in fact, safe in Scotland. As a result of all this, the English capitalists ceased to pay up their subscriptions, and the Scots subscribed for the full £400,000, of which about £220,000 was actually paid—and lost. But there was no jobbing. The shares did not rise in the market, and the original holders did not "unload" on a confiding public and pocket a premium. Hamilton, Belhaven, and Stewart of Grandtully alone took £3000 apiece. The daughters of the landlord of Paterson's father in Skipmyre farm made their modest ventures. Merchants, whether what we now call merchants or, as in Scots phrase, small shopkeepers, "plunged" all over the Lowlands. The Celt did not invest, though Macaulay says that "from the Pentland Firth to the Solway Firth every man who had £100 was impatient to put down his name." Practically a good deal of stock was bought in by the Company, which guaranteed the money to the nominal subscribers.³¹

It is an exaggeration to say that "men of sense staked everything" on Paterson. Landlords did not sell their estates and "go banco" in this gamble. The thing did not really cause

such enthusiasm as the signing of the Covenant, as Dalrymple declares, and, unlike the case of the Covenant, people were not bullied into subscribing. But there was very little money in the country, and a large portion of that was swept into the scheme. Investors could not ask themselves what kind of place Darien was, and whether it was claimed by any European Power,—questions which Macaulay thinks should have given men pause,—because the Darien dream, Paterson's addition to the East India project, had been kept under secrecy, though alluded to in an early pamphlet. In 1696 the directors ordered that "some particular discoveries of the greatest moment to the designs of this Company ought to be committed to writing and sealed by Mr Paterson, and not opened but by special order of the Court of Directors. . . ." ³² A settlement was to be made "upon some island, river, or place in Africa, or the Indies, or both"—nothing more explicit was arranged while subscriptions were coming in. The directors on September 12, 1696, were concerned with improvements in the manufacture of salt, and with encouragement of the fisheries—modest and practicable schemes.³³ The papers about "the principal designs," the Darien venture, were sealed up with many seals.

Paterson and others were now to be sent abroad to engage the aid of foreign merchants (July 28, 1696). Men were despatched to contract for supplies and weapons (September 30, 1696). Cargoes of goods were selected for the Gold Coast and Archangel. Alexander Grieve, shoemaker at the Goose Dub, took up a contract for 300 leathern bandoliers; wigs, combs, fish-hooks, buttons, kid gloves, and other articles adapted to the simple taste of savages were ordered in considerable quantities. The Company began to build a lordly set of offices near the Grey Friars Church: they were later used, "by one satiric touch," as an asylum for pauper lunatics. In 1697 the English Resident abroad bullied the merchants at Hamburg, and they were cautious enough not to engage without a declaration of approval from William. Till 1699 William replied not, except in a dilatory way, and later merely said that the details about a proposed foreign settlement had not been communicated to him. Everybody, after the subscriptions came in, wanted to know what was intended, and Tullibardine bought £500 of stock for the mere purpose of satisfying an intelligent curiosity.³⁴ He explained

that he wanted to be able to prevent "any designs that may prove uneasy to his Majesty."

By June 1697 the esoteric aims of the Scots Company were understood in London. They meant to apply their very limited capital (for "calls" were slowly paid in diminishing quantities) to the settlement of a colony at Acla, now Caledonia Bay, on the Isthmus of Panama. The advantages of the situation have ever since attracted capital, while the difficulties of the transit of the neck of land have proved the ruin of enterprise. On July 2, 1697, Lord Tankerville, John Locke, and other members of the English Council of Trade, examined the famous navigator, Dampier, as to the European claims to own the coveted spot. Having received a report from Dampier, Locke and the rest advised the Lords Justices that it would be easy for Europeans to make a settlement, which would be injurious both to Spain and to the Colonies of England, and they recommended "a prohibition of help to the Scotch."

On September 16, 1697, the English Council of Trade represented that "the said country has never been possessed by the Spaniards, and that England should instantly seize Golden Island and the port opposite to it on the main, to the exclusion of all other Europeans, . . . lest the Scotch Company be there before us, which is of the utmost importance to the trade of England."³⁵

Thus, if Paterson was misinformed as to the claims of Spain on Darien, he erred in company with the English Council of Trade. Meanwhile Paterson was robbed of part of the Company's funds by an unscrupulous agent abroad, and, if his character did not suffer, he certainly lost authority and prestige.

In July 1698 the Council of the new colony was appointed, and authority was vested—civil, military, and naval—in seven persons, with power to add to their number. Some arrangements were made for what was called a "Parliament" in the colony, and for partition of profits that never accrued. Indeed, corruption must have been active, for only an idiot, if uncorrupted, would send thousands of perruques and even bales of thick tweeds to a tropical market. Most of the Company's capital went to buying ships, cargoes, and munitions: three ships and two tenders.³⁶ A Journal kept by a Mr Hugh Rose tells how the expedition fared, leaving Leith on July 26, 1698, with 1200 men and two preachers. On

October 3 they took possession of an eligible island, which, on October 4, turned out to be Danish. On October 5 they enlisted a practical buccaneer, who had been with Captain Sharp on a peculiarly godless expedition, and was present when Panama, Portobello, and Carthagena were taken. This mariner was to guide them to the promising havens of Golden Island. By October 30 they anchored off the Gulf of Darien, and their circle of acquaintances was enriched by a few very sophisticated Indians, who spoke pretty good Spanish, a little English, and drank like fishes. The good old days of discovery were over; these were not "shy traffickers": like the dark Iberians who dealt with the Sidonians, they slept off their liquor on board the *St Andrew*. They said they were at war with the Most Catholic King, and were made happy by a gift of old hats, penny glasses, and knives. The bloom of romance had faded from the Peak in Darien. Soon a "Captain Andreas" came: he was a native official under Spain, but was pleased to learn that the Scots would undersell the Spaniards, and, if necessary, would fight them. A Frenchman arrived who dissipated some myths of lands of gold: the nearest gold mines were worked by Spaniards. The captains or chiefs of the tribes were sometimes "Indian clergymen" (medicine-men), sometimes bore Spanish sceptres of command, silver-tipped sticks, and always had Spanish Christian names. One chief could read and write very well. In short, the Scots had come into a place undeniably within the Spanish sphere of influence. Nevertheless, Captain Andreas was given a neatly engrossed commission under the Company, and "a hearty glass." The committee of seven councillors, appointed at home, split into two parties on arrival, and, by an almost Athenian stretch of jealousy, a new president was appointed in each succeeding week.

By December 12 the Spaniards knew all about the new-comers, who set about fortifying "a very crabbed hold," in a haven whereof Paterson seems to have learned nothing, but which they found convenient for their purpose. In the same month a colonist wrote that so far the climate was temperate and as healthy as could be expected. There was abundance of good water, and of excellent fish, fowl, and wild hogs; venison was thought likely to be found, "monkeys and baboons are the best and choicest that we have hitherto met with." Apparently

monkeys and baboons turned out to be the staple of the native food-supply, otherwise the colonists would not have been starved, as they were.³⁷

All this time an English captain, Long, with a general roving commission, was cruising in these regions. He expected the French to make a bid for them in the confusion which, as diplomatists foresaw, would follow on the death of the childless and half imbecile Charles II. of Spain. He visited the Scots and found 1200 proper men, in good health, and secure in the very crabbed hold. Long left them, and thought good to set up the English flag, with four men to retain the whole country for England. Not that he hated the Scots, "I am a lover of them, . . . but what I have done I thought it my duty to do for my master, as they thought to do for theirs"—the Company. The Governor of Carthagena wished to assail the Scots at once, but the Admiral of the Spanish fleet said that he would await royal orders: the Scots had not invaded Spanish ports, and he knew not the territorial rights and wrongs in the case. This report gave Captain Long, and then he went on a treasure hunt, looking for pieces of eight and for wrecks of the plate-bearing galleons.³⁸

On February 6, 1699, swords were crossed with Spain, or rather shots were fired. A party of Scots aided a native chieftain, Captain Pedro, and drove a Spanish party into the hills: the Scots lost two men killed and twelve wounded. Courteous notes passed between the Spanish Governor of Santa Maria on one side, and, as the Don said, "the Illustrious Council of Caledonia, whom God preserve many years, in Fort St Andrew," on the other. But the colony had few provisions, except monkeys and baboons, and sent their ship, *The Dolphin*, to Barbadoes for supplies. They were not likely to get them from an English colony, as they had no credit, or insufficient credit, but *The Dolphin* struck a rock, and was forced to run into Carthagena for repairs. The men were imprisoned, the ship was seized, and on March 11 the Council sent to remonstrate. If all the captives were not restored, the Council declared reprisals, and they forwarded a copy of the Act of June 25, 1695. The Governor of Carthagena, not duly impressed by this august document, tore it up, and called the Scots "rogues and pirates." They instantly set about making reprisals, while Paterson in-

formed the Council of a discovery of French designs on the colony. As for the Scottish prisoners at Carthagená, they were sent to Seville, condemned to death, and lay in irons till September 1700. The Spanish Ambassador carried his plaint against them to William (May 1699); and as the Scots now seized an English trading vessel, it seemed that the colony of Caledonia was at war, or on the verge of war, with three of the four great naval Powers.

Meanwhile from home but scant supplies had come, it was a year of dearth (King William's years were long remembered for famine and diseases), there were no reinforcements: the rainy season and fever arrived, and Beeston, the Governor of Jamaica, issued a Proclamation forbidding English colonists to supply the Scots, or hold any communication with them, "as they will answer the contempt of his Majesty's command to the contrary at their utmost peril" (April 8, 1699). This terrible order was issued before England could have heard of the affair of Carthagená and the war between Spain and Caledonia.³⁹ Government later disavowed the Proclamation, and Beeston himself wrote (December 14, 1700), "I could not forbear thinking that the Scots had but uneasy measures."⁴⁰ In June 1699 disease and death and anarchy prevailed at Darien. There was no head, Paterson was powerless, all was confusion, and not a line had been received from the Company in Scotland. The Company had recently drawn up rules, rather late in the day, for the Government of a colony that, before the rules could reach it, had ceased to exist. In the first place, the "commands of Holy Scripture are to have the full force and effect of laws within this colony,"—a crazy observation. There were thirty-three special applications of the general text. Ships were freighted and presents were sent "to the chief ladies" (native), but all was too late.⁴¹ In May and August reinforcements were despatched, but in June the survivors of the colony had fled, and the expedition of May, arriving in August, found the colony a desert wilderness. The new-comers, for the most part, sailed off to Jamaica. After a fearful voyage of two months, in which hundreds of men died, the two vessels of the original settlers drifted to Sandy Hook, where they received the most timid and dilatory hospitality. Paterson seemed to be dying, but by November he was in Edinburgh. The *St Andrew* was

not better treated at Port Royal than the other two vessels at New York.

The third expedition with four ships, carrying our old covenanting friend, Mr Sheild of 'The Hind let Loose,' another preacher, and 1300 men, was on its way with instructions for erecting a presbytery and everything handsome at Darien, and with a worker in fine gold (of which there was none), when the Company received mournful colonial letters of April 21. They replied in a scolding despatch, and added the news that the English were to boycott the Scottish colonies, and that all Powers were hostile. The directors ought to have seen that the situation of their colony was impossible. As they wrote, letters from the stranded and starving adventurers at New York and Sandy Hook were on their way. By September 19 the Company, long anxiously sceptical about the bad tidings, were convinced that Darien had been deserted, "shamefully and dishonourably," as they wrote to "the original Council at New York" (October 10). The new expedition of relief found nobody to relieve save a few men returned from New York under Captain Drummond. "The site marked out for the proud capital which was to have been the Tyre, the Venice, the Amsterdam of the eighteenth century was overgrown with jungle, and inhabited only by the sloth and the baboon." Drummond and the new-comers were soon at odds, and all was confusion and despondency.

So ended the first expedition with its sequel, and to this extent had the promised "Authority of his Majesty" protected and encouraged his Scottish subjects. To be sure, his Majesty seems to have been unaware of the promise made in his name.

Mr Borland, the colleague of Mr Sheild, in attendance on the next expedition, seems to have relied on the royal promise. From Boston (Massachusetts), on the way to Darien (September 19), he wrote advising the Company "to address his Majesty for some ships of war. . . . We hear that the English are likely to be concerned in the settlement and all."⁴² The chance of English co-partnership, indeed, was the only hope for escape from a second ruin. Borland described the first settlers as "a viperous brood that neither fear God nor regard man, . . . Jacobites, Papists, and Atheists. . . . There was no room for God's worship, nor time for His service, even on His own day, where, if any durst peep to complain thereof, they were hissed at as impudent turbulent

Whigs.”⁴³ It was natural that adventurous young Scots of 1698 should be Jacobites. Messrs Borland and Sheild, of the extreme left of the Kirk, were not in tune with their own detachment of gentlemen adventurers: their stipends were not, apparently could not be, paid, and there was an entire lack of godly elders for the Darien Presbytery.

The new colony seems mainly to have lived on shipboard; intestine quarrels were fierce and complex; the supposed silver ore of the region proved to be copper; the “gold, very thick here, proves really nothing at all but slimy stuff, . . . of the dust or ore, not one grain.” (December 23/29, 1699.) Huts were built in February 1700, but the settlers had not £50 worth of vendible goods; provisions or practicable credit for money must be despatched from Scotland. Captain Alexander Campbell of Fonab, a trusty soldier, had been sent out by the directors in October 1699, followed by a vessel laden with provisions, *The Speedy Return*, which became famous for not returning in a later year. Campbell heard of a Spanish expedition against the colony concentrated on the farther side of the Isthmus, at Tubalcanti. He mustered his fighting-men; all were not in love with war; one, probably to tease the militant Sheild, maintained that the idolatrous Spaniards were in the right (as they really were), and that to attack them was wicked! Sheild found that the Knoxian Book of Discipline, with its rule that preachers should be obeyed implicitly, was obsolete in the Spanish Main.

However, Fonab had brave adventurers enough. After a three days’ march across the mountains, he charged the palisades of the Spanish fort, cleared out the foe in a quarter of an hour, and drove them into the jungle. The colony now heard (February 23, 1700) of an attack to be made against them by sea, but were full of hope.⁴⁴ The end was that the Council of the colony surrendered to the Spaniards, who surrounded them by sea and land. Scotland had just heard of, and had begun to celebrate, Fonab’s victory when this crushing news arrived. The riotous character of the celebration will later be described. The Company did not expire, it had still a romantic stroke to deal at the English, but the money was gone, the men were scattered or were dead: since Flodden or Pinkie the nation had not reeled under so heavy a loss, a loss of money and of prestige. One vessel of the Company’s tiny fleet engaged in the West African trade had orders to

defy even English vessels which might interfere, if William's orders for interference were not countersigned by the Secretary for Scotland. Now Spain had taken up the glove thrown down by the reckless Company—and all was over.

Of shouting and murmuring against England and William there had been much, and more, naturally, was to come, though the king's character was treated with more civility than Jacobites would have wished. Even moderate writers of pamphlets remarked that Scotland, when her interests collided with those of England, had, in fact, no king, no royal guidance or support. If things continued thus, Scotland would not lack friends: she had an ancient ally not unwilling to renew the old League—France.

We now take up the thread of public affairs in Scotland during the period of the colony. When Seafield, as President, met the Estates in July 1698, he was much pleased by his reception and popularity. But in the same month there was an inconvenience unusual in Scotland,—drought, short straw, an ill appearance of the crops.⁴⁵ So Polwarth, now Earl of Marchmont, and Commissioner, reports. "Almost a famine, appearance of an extraordinary bad crop," says Seafield. This was one cause of the slackness in provisioning the first Darien colony. Tullibardine was active in opposing supply. Seafield had to employ that useful old cry, danger from the Jacobites. Annandale deserted Tullibardine, opposition was checked by personal greed of office, supply was passed. The Burgh members were won by the Provost of Edinburgh, but there were troublesome petitions in favour of the Company. Her first colony had just sailed, and Seafield says that it is backed out of patriotism, though "most people here believe it will not succeed so well as is expected." The success of Government, so far, "looks like a dream," says Argyll, who, of course, had the old feud to wreak on Tullibardine in the new Parliamentary way. The affairs of the Company were debated after the king had got his business done, on August 1. Tweeddale and Tullibardine were strong for the Company against William's agents, who discouraged subscribers abroad. Seafield replied that William had bidden his agents abandon opposition, but the Company asked for much more, including the use of two frigates. Primrose of Dalmeny, a man of great estate, had been very useful; Seafield asked for a Viscountship for him. The family had prospered greatly in a century since one of them corresponded with Cecil.

The Club was still regarded as not extinct, or as revived, under Tullibardine. Dalrymple, now Lord Stair, was advised not to take his seat in Parliament, though encouraged by "the Club party."⁴⁶ The semi-Jacobite, Arran, was made Duke of Hamilton, and was later to be tempted to claim the Scottish Crown for himself, as next heir, setting aside the Prince of Wales, born in 1688. Now first appears the famous Simon Fraser, later Lord Lovat, executed in 1746. He had abducted a bride, *vi et armis*, and had held a muster of the Frasers, his clan. The circumstances will be recounted later. Meanwhile, Argyll advised Carstares that Simon should not be put at for this, "for if one begin, all the Highlands will in ten days fly together to arms." As for his abduction of "the Dowager of Lovat," Simon disclaimed all "barbarity," and would stand his trial. Atholl was pressing the Frasers hard, and Lovat wished that the estates of both clans were set as a prize of battle, "the result of a fair day between him and me." "We will not be commanded and oppressed by any strangers . . . in this end of the world." There is more than a hint, in the clan's letter to Argyll, of the desirability of a king, not a "stranger," in Scotland.⁴⁷

In Scotland (1699) there was great discontent about the interference of William's agent at Hamburg, Sir Paul Ricaut, with foreign subscriptions to the India Company. An address to William in "a style which will not please" was intended, and the proclamations of English Colonial Governors against dealings with the Darien adventurers caused much excitement, the preachers praying heartily for the success of the second expedition (August 1699). "The nation is bent one way, and the king is of another persuasion," wrote the Lord Advocate. On the Duke of Hamilton's arrival at his home, the preachers, the Directors of the Company, and he, with the news of the desertion of their colonists fresh in their minds, met, and were eager for an Address to William. In November, Lord Basil Hamilton was desired to carry the Address to Court. In January 1700 there was a demand for William's appearance in the new Parliament, where the discontented meant to use much freedom. The king would not come down, would not receive Lord Basil, but "would think of their demands."⁴⁸

On March 25, 1700, William so far yielded as to receive an Address presented by Tweeddale, but replied curtly that he had fixed May 15 for the meeting of Parliament, and stood

by his resolution. He then turned his back and walked out.⁴⁹ The Scottish Parliament met, and Queensberry, the Commissioner, in face of a proposed resolution maintaining the legal character of the Darien settlement, said that he had a bad cold, must consult the king, and adjourned. Discontents increased,—the revived Club used to meet at Steel's tavern, in June, and discuss a fresh National Address to William. "It looks very like Forty-One," the rising against the man Charles Stuart, wrote Colonel Ferguson, brother of the notorious Ferguson the Plotter (June 15, 1700). The 10th of June, the birthday of the Prince of Wales, was lustily celebrated at Edinburgh. There were threats that if William would not declare Darien a legal settlement, a Convention of Estates would be called. "We are all in flame, . . . the fuel comes both from France and England."⁵⁰ Letters from the Scottish prisoners in Spain increased the national anger, and on June 20 unauthorised illuminations to applaud Fonab's victory over the Spaniards were being prepared; Hamilton attended a meeting at Pat Steel's tavern, and the Lord Advocate trembled for his window-panes.⁵¹ In fact, the mob did break windows not illuminated, though the statement that they "destroyed five thousand pounds' worth of glass" must be a wild exaggeration. The Tolbooth was broken open, prisoners were released, gentlemen with drawn swords protected the rioters. Murray of Philiphaugh wrote from Edinburgh that if William went abroad he would imperil his hold on his kingdom. In August, when some of the rioters were put in the pillory, the mob threw white roses to them.

Though the news of the colony's capitulation to the Spaniards followed hard on the heels of the tidings of the triumph of Fonab, the public persisted in the desire to be revenged.⁵² While the mob threw bouquets to rioters, and bade the bellringers of St Giles' toll to the tune of "Wilful Willie," and released, among other denizens of the Tolbooth, some Fraser prisoners locked up for the Lovat misdeeds—the Club was for boycotting goods that brought duties to the Exchequer. The death of the Duke of Gloucester, son of the Princess of Denmark (later Queen Anne), a spirited little boy of popular promise, was no sorrow to the Jacobites.

Meanwhile the leading politicians were in alarm, especially Murray of Philiphaugh, never noted for courage, whose letters are of the blackest pessimism. Argyll and Tullibardine pursued their

ancestral feud, not with fire and sword, but with intrigue and back-biting,—Argyll working in the Lovat interest against the House of Atholl. This Argyll had no more taste than his grandfather, the Marquis, for a duel, and, after a quarrel over a horse-race with Crawford, apologised on receiving a challenge, which the next Argyll, Red John of the Battles, would probably have accepted joyfully. Argyll had a scheme for "buying some, purchasing others, and making some places vacant for others," so as to carry on the King's Government."⁵³ Government struggled on through August, working by aid of secret service money. The opposition, the "Country Party," consisted of Jacobites, malcontents not Jacobite, "and honest Presbyterians in the African interest," solely concerned with promoting trade. Only the Jacobites were in favour of doing away with the standing army; the malcontents looked for a change of Ministers, and the spoils of office for themselves; the trading party were the most numerous, and might be won over by Government.⁵⁴ This last party were busy in trying to raise £300,000 for a reconstructed colonial, manufacturing, and fishing scheme, on the lines of the unlucky Act of 1695.

A new Address to the King was sent up in September; Queensberry ventured to face the Estates in October 29, 1700; and the Royal Message was not so sullen as the temper which William had for long shown to the perplexing kingdom which he must have wished well under the sea. With his great European schemes for paralysing France, he always found, like the dying Henry V., "a Scotsman in his beard." The king would let all legislation pass for the improvement of trade, but acknowledge the legality of the Darien colony he would not; for reasons of international policy he could not, without facing a world in arms.⁵⁵ "Now that the state of that affair" (Darien) "is quite altered, you will rest satisfied with these plain reasons." But the Scots would not rest satisfied with the logic of facts. Acts for prohibiting importation of foreign and exportation of domestic goods were introduced: Scotland was to try the policy of "retaliation." Supplies for the army were voted only till the great business of Darien should be discussed.⁵⁶ On January 13, 1701, it was unanimously voted that the Darien settlement was a lawful colony. "Long jangles" on constitutional niceties accompanied each step of the business.⁵⁷ "There were very pretty discourses for a long time," says an

appreciative listener. Was an Act embodying grievances and remonstrances to be passed, or merely an Address to the King? The Company wanted an Act; milder men preferred an Address, which did not so fully commit Scotland to an impossible policy of war with Spain, if not with half of Christendom. An Act, it was argued, would not be touched with the sceptre and passed. Stair said that "an Act here was but a decree of the Baron Court," and, being rebuked by Hamilton, made matters not much better by explaining that "none sat in Parliament but Barons," and the representation in Scotland was feudal. "He was excused, but desired not to use such an expression again."⁵⁸ An Address, not an Act, was carried by a majority of twenty-four.⁵⁹ The Address asserted the Company's "complete right," as settlers among natives in "independent and absolute freedom" in a country "void and unoccupied" by Europeans. They complained that they had been encroached upon by the English colonial proclamations, and been treated as pirates by Spain. They asked for the royal favour, and compensation for their losses.⁶⁰

The nervous Murray of Philiphaugh wrote to Carstares that "this business is brought to as happy a conclusion as could almost be wished for," though the debate, in the most modern fashion, had been attended by "a mighty incessant noise."⁶¹ The unsympathetic Commissioner denounced the vivacities of the House as "unparliamentary and against the rules of all society." The House had been most excited on a question as to entering the names of the voters on both sides in the registered proceedings: this was done. "Debates," Philiphaugh remarks, "lose time, and introduce many unnecessary questions," and he obviously pined for the good old days of the Lords of the Articles.

The country was not less excited, and the hopes of the Jacobites rose as William became more and more unpopular. He could not or would not come to Scotland, where curious inquirers asked, "Of what religion would he be—north of Tweed?" In the previous year (February 1700) he had recommended to the English House of Lords a scheme of Union, manifestly the only method of preventing those quarrels between the two countries in which France and the Jacobites saw their opportunity. There was a risk that Scotland, as of old, would soon have a Stuart king and a French ally. William now declared himself to be "very sensibly touched" by the disaster of the Scots, and recommended the Lords to think

of "some happy expedient" for union.⁶² The Lords in England sent, as "of great consequence," a Bill concerning union to the Commons, who seized on the phrase as an insult to their dignity, forsooth,—their commercial jealousy of Scotland thus picking "a German quarrel." The Bill for union was therefore rejected. The Darien Company continued to agitate and draw up petitions, but no advance was made towards granting their desires.

On February 20, 1702, "the little gentleman in velvet," as the Jacobites called the mole, did his fatal work. In the park of Hampton Court William's horse stumbled over a mole-hill: in his fall the King broke his collar-bone, and in his failing health the accident proved mortal. On February 28 he sent to the Commons a message, "in the most earnest manner recommending the consideration" of a scheme of union. He was known to be dying on March 7, when the subject of union was to be debated: it was not touched upon; and, after hours of agony, William passed to his rest.

Of Scotland he had scarcely been king: the affairs of Holland, of England, of the struggle against France, had diverted his attention from the land which he never saw, which no king of England was to see for a hundred and twenty years. In Carstares he had an excellent adviser, but Carstares was not always at his side, and is not known to have uttered one sentence about Glencoe, while he could not possibly prevent the obscure intrigues which must have made possible the introduction and "touching" of the Company's Act of 1695. A few months before William's death, James had gone before him "down the night-wandering way," and Louis XIV. had recognised as King of England, Scotland, and Ireland, the Prince of Wales, James III. and VIII. In him, though a boy of thirteen, all parties had recognised a more dangerous claimant of the throne than his resigned and outworn father. But James II., in youth, would have been infinitely more dangerous than was the son of his sorrows: a better man than his father, but a futile leader of a forlorn hope.

NOTES TO CHAPTER III.

- ¹ Minutes in Act. Parl. Scot., ix. Appendix, p. 98.
- ² Act. Parl. Scot., ix. 366.
- ³ M'Cormick, Carstares, p. 232.
- ⁴ Act. Parl. Scot., ix. 376, 377.
- ⁵ See Report, in M'Cormick, pp. 252, 253.
- ⁶ Act. Parl. Scot., ix. 408.
- ⁷ Act. Parl. Scot., ix. 421, 422.
- ⁸ Act. Parl. Scot., ix. 424, 425.
- ⁹ Highland Papers. Cf. Paget, Paradoxes and Puzzles, pp. 74, 75.
- ¹⁰ Hill Burton, vii. 413, 414.
- ¹¹ Act. Parl. Scot., ix. 386, 387.
- ¹² State Trials, xiii. 918-938. Macaulay on Scotland. Articles from 'The Witness.' Thomas Aikenhead, by John Gordon: London, 1856.
- ¹³ Mr Mathieson says that the elder Paterson was owner of his small estate (Scotland and the Union, p. 25).
- ¹⁴ The Birthplace and Parentage of William Paterson. By William Pagan. 1865.
- ¹⁵ Bannister, Writings of William Paterson, ii. 236.
- ¹⁶ Bannister, ii. pp. xcvi, xcix.
- ¹⁷ Bannister, i. 117, 118.
- ¹⁸ Commons' Journals, x. 631. Jan. 18, 1692.
- ¹⁹ Bannister, ii. 255.
- ²⁰ Anderson's Origin of Commerce, ii. 206. Writings of William Paterson, i. p. xxxiii (Bannister).
- ²¹ Writings of William Paterson, ii. 261.
- ²² Dalrymple, ii. 96.
- ²³ M'Cormick, Carstares, p. 303.
- ²⁴ M'Cormick, Carstares, p. 270.
- ²⁵ Macaulay, iv. 489.
- ²⁶ Story, Carstares, p. 251.
- ²⁷ Act. Parl. Scot., ix. 377, 381.
- ²⁸ Commons' Journals, xi. 401.
- ²⁹ Lords' Journals, Dec. 13, 1695.
- ³⁰ Commons' Journals, Jan. 21, 1696, p. 400.
- ³¹ Burton, viii. 29-32.
- ³² Darien Papers, II.
- ³³ Darien Papers, 15.
- ³⁴ Ogilvy to Carstares, July 24, 1697. M'Cormick, Carstares, p. 321.
- ³⁵ Bannister's William Paterson, ii. 258-261.
- ³⁶ Darien Papers, p. 54.
- ³⁷ Darien Papers, p. 80.
- ³⁸ Darien Papers, pp. 81-84.
- ³⁹ Darien Papers, p. 303. Note.
- ⁴⁰ Darien Papers, p. 304.
- ⁴¹ Letter of April 15.
- ⁴² Darien Papers, p. 155.

- ⁴³ Darien Papers, p. 158.
- ⁴⁴ Darien Papers, pp. 245-252.
- ⁴⁵ M'Cormick, Carstares, pp. 384, 385.
- ⁴⁶ Seafield to Carstares, August 20, 1698. M'Cormick, Carstares, p. 426.
- ⁴⁷ M'Cormick, Carstares, pp. 431-436.
- ⁴⁸ Darien Papers, p. 280.
- ⁴⁹ Darien Papers, pp. 283, 284.
- ⁵⁰ M'Cormick, Carstares, pp. 527, 528.
- ⁵¹ M'Cormick, Carstares, p. 533.
- ⁵² M'Cormick, Carstares, pp. 543, 547, 615.
- ⁵³ M'Cormick, Carstares, p. 599.
- ⁵⁴ M'Cormick, Carstares, pp. 626, 628.
- ⁵⁵ Act. Parl. Scot., x. 201, 202.
- ⁵⁶ Act. Parl. Scot., x. 234.
- ⁵⁷ Hume of Crossrig's Diary, p. 51.
- ⁵⁸ Hume of Crossrig's Diary, p. 52.
- ⁵⁹ Act. Parl. Scot., x. 246, 248.
- ⁶⁰ Act. Parl. Scot., x. 248, 250.
- ⁶¹ M'Cormick, Carstares, pp. 689-691.
- ⁶² Lords' Journals, Feb. 12, 1700.

CHAPTER IV.

THE EVE OF UNION.

1702-1705.

BEFORE his death William of Orange had involved his kingdoms in the dynastic feuds of Europe. His insatiable hatred of France, the Testament by which the spectral Charles II. of Spain left his crown to Philip of Anjou, the aggression of Louis XIV. on the Spanish Netherlands, and the wayward generosity which recognised the Prince of Wales as King of England on the death of James II., were so many provocations to William and to Protestant Whigs. The Triple Alliance of the Empire, England, and William's beloved Holland, concluded in September 1701, was to be presently followed (May 1702) by a declaration against France of that war in which Marlborough acquired gold and laurels. The Whigs who came in at the general election in the end of 1701 were, on the whole, favourable to the Union with Scotland, while at the moment of William's death the Revolution Ministry held power in the Northern kingdom. The veteran Whig and Presbyterian, Marchmont, was Chancellor; Queensberry, now regarded by Cavaliers as "the proto-rebel," was Privy Seal. He was a man of agreeable manners, so remote from avarice that he might rather be called lavish, and there came an incident in his career which might deserve for him, as for Hamilton, the Shakespearian title of "Duke of dark corners." Hyndford (Carmichael), one of the Secretaries of State, was of Revolution principles; Seafield, the other Secretary, was no extremist; Cockburn of Ormiston was staunch to the ancient Protestantism of his House; and the Lord Advocate, Sir James Stewart, had been fickle enough, but was a sad good Whig at heart. All of

these men were likely to be in favour of union, but in England the Tory advisers of Anne were less sweetly reasonable as regarded Scottish rights and claims than the Whigs were inclined to be.

The accession of Queen Anne was more welcome to the Jacobites than to the Whiggish Presbyterians in Scotland. The queen was known to be deeply attached to the Church of England, for which the late king could only have a political preference; and, now she was childless, she certainly in her heart preferred the claims of her brother, the exiled Prince of Wales, to those of her Protestant German kinsfolk of Hanover. "The Cavaliers," writes Lockhart of Carnwath, who sat in the subsequent Scottish Parliaments till the Union in 1707, a wealthy, able, and sardonic Cavalier, "expected mighty things from her: the Presbyterians . . . were more upon the melancholick and dejected air than usual," even,—for the Presbyterians were always in apprehension of popery and prelacy. The preachers thundered in the old way; their flocks "must be ready to suffer for Christ's cause—the epithet they gave their own."

Anne, meeting her first English Parliament, requested the House to consider a scheme of union, the more necessary as England, Holland, and the Emperor were about to declare war against France and Spain. A bitterly discontented Scotland would be a heavy weight on the arms of England; but how the discontent was to be soothed among Presbyterians by union with a country of prelatic "Baal worshippers," or among Jacobites by union with the deadly foe of France and of the rightful king over the water, was not obvious. Compensation, trade, and security for her own colonies, when she got any, was what Scotland desired. However, on April 20, 1702, despite the arrogance and anti-Scottish tone of the Tory speakers, a Bill for nominating a Commission to discuss the Union was passed at Westminster.

Anne (April 21) wrote a letter of a friendly and conciliatory kind to the Scottish Parliament. She was concerned to maintain the dignity and independence of their ancient kingdom, and to respect its laws and liberties: she trusted that the Scots would reciprocate the desire for union displayed by the English Parliament. She deeply regretted the losses and disasters of Darien, and would concur in any reasonable scheme for repairing them.

As funds for the support of the Army in Scotland were almost exhausted, it was necessary to ask money from a Scottish Parliament in the summer of this year, 1702. The Cavaliers, under the Duke of Hamilton, naturally urged that there should be an appeal to the country, in consequence of the death of the late king, and that a new Parliament should be chosen in place of the long seated "rump." Hamilton, Tweeddale, Marischal, Rothes, and other nobles went to London to ask Anne's consent to this proposal. But a Scottish Act of 1696 had provided that the House, if in session at the moment, might sit for six months after a king's decease—namely, for the purpose of keeping things quiet and securing the succession in the Protestant line. If not in session, the Parliament should meet for these purposes. Parliament had not met, and Hamilton's party argued that a new Parliament should now be chosen. The meeting of the old Parliament would be technically illegal, or at all events open to doubt and cavil. Queen Anne, either in hope of conciliating the suspicious Presbyterians or of finding the old Parliamentary hands more subservient than a newly elected House, declined to listen to Hamilton, and summonses were issued for June 9.

Hamilton opened the debates by denouncing the legality of the Parliament, and with seventy-nine gentlemen of good estate marched out of the House. The populace expressed approval by cheering, and the seceders went to that undignified *Mons Sacer*, the Cross Keys Tavern.¹ Of a hundred and ten members who remained, Lockhart avers that eighty were pensioners or placemen. The seceders sent Blantyre to Queen Anne with an address justifying their proceedings: she received Blantyre, but would not look at the address.

The remnant of the Rump continued to sit, passing an Act in favour of their own legality. The country met this in the spirit of passive resistance. "Near one-half the nation," says Lockhart, refused to pay the taxes voted, and this measure caused anxiety in England.² It was thought that Scotland had taken a Jacobite turn, and that if Anne's command to Hamilton to come to town was not obeyed the Jacobites were to blame.³ The sitting remnant of Parliament showed their loyalty by Acts recognising the queen's authority and that of the Kirk, and Sir Alexander Bruce was expelled the House for saying that presbyterial government was inconsistent with monarchy.

As the House was, after Bruce had been expelled, "all one man's bairns," in Lockhart's homely phrase,—that is, all of Revolution principles,—Marchmont, against Queensberry's wish, presented a Bill for the imposition of an oath abjuring the son of James II. Marchmont ought to have known the evils of abjuration by the experience of 1685. The House was at once divided: matters were far too uncertain for an Act of this kind, and "the Pretender" was useful to various parties in turn as a bugbear. To the cause of Scotland he was a valuable card: by keeping the question of the succession to the Scottish throne open, men were able, they thought, to put pressure on the English in favour of their claims to good terms in the matter of the Union. Lockhart says that Queensberry had no instructions from England as to Marchmont's proposal; but he was mistaken, as Murray of Philiphaugh informed Carstairs. "His Grace had an instruction to give the royal assent to such an Act," but found that it was a cause of strife. Some openly took the line that England would become careless about the Union if they had security as to the succession. Marchmont's Bill received a first reading in defiance of Queensberry's request that he would not introduce it; so Queensberry, not knowing how matters might turn out, adjourned the Parliament (June 20).⁴ "So we take our leave of this monstrous Parliament," says Lockhart, "which from a Convention was metamorphosed and transubstantiated into a Parliament, and when dead revived again."

The politicians hastened to London, whence Secretary Johnstone (son of the unhappy Johnstone of Waristoun the Covenanter) wrote to Baillie of Jerviswood that "the inclination of the Court is absolutely for changes" in the Scottish administration. In the English Parliament "the Whigs reign in the House of Lords and espouse the bishops: the Tories reign in the House of Commons and espouse the lower clergy" (November 21).⁵ As to the changes, they fell heavily on the most Presbyterian of the Scottish Government. Marchmont, Melville, Cockburn of Ormiston, Leven (commander of Edinburgh Castle), and Hyndford, "were all laid aside." Queensberry and Tarbat, who was dipped in Jacobitism, were Secretaries of State; Atholl (late Tullibardine) held the Privy Seal; the Earl of March succeeded Leven in the Castle, and Seafield was made Chancellor, while Annandale was President of Council. Seafield, originally something of a Jacobite, had long served William III., and had "trimmed and tricked shamefully in the affair of Darien," says

Lockhart. He was "a blank sheet of paper which the Court might fill up with what they pleased."⁶ This was the character of most of the new Ministry, which was not so popular as the old with the Presbyterians, and therefore was less utterly distasteful to Cavaliers.

Meanwhile the queen had appointed Commissioners of both kingdoms to discuss the Union. Among the English were Nottingham, Marlborough, and Robert Harley (later Earl of Oxford), a statesman destined to enjoy great power and to undergo strange vicissitudes of policy and fortune. On the Scottish side were, among others, Argyll, Queensberry, Stair, and the provosts of Edinburgh, Glasgow, Dundee, and Aberdeen. They first met on October 28, 1702; on November 20 the preliminaries were adjusted; on December 14, Anne, in a very brief speech, said that she hoped the Union would make the island "more formidable." The meetings of the Commissioners only proved the difficulties of their task. Though the incendiary question of religion was not touched, matters of free trade, of colonial privileges, and of compensation for Darien blocked the way, and the Commissioners parted, *re infecta*, on February 3, 1703. The champions of the two nations had only been feeling each other's foils. Much bargaining of a rough sort had to be done, on sea and land, by deeds and speeches, before the kingdoms could understand,—the richer, how little would be accepted; the poorer, how weak was its power of enforcing its demands. Presbyterians were in needless alarm. On February 13, 1703, Johnstone wrote to Baillie of Jerviswood that, in a meeting of English about the Union, the Archbishop of York had said, "Now is the time for restoring Episcopacy in Scotland," while Rochester and Normanby agreed with him, and Nottingham "trimmed,"⁷

While Presbyterians like Johnstone and Jerviswood terrified each other with such stories, the Cavaliers would drop salt, not oil, into the sore places of their spirits. Would the people of Zion, they asked, consent to a union with prelatie Moab,—even England, where the mitre was already pushing with its horns? Presbyterian voters, looking forward to the approaching general election, must have felt sorely puzzled. To vote for Cavaliers was, indeed, to postpone or prevent union with a prelatie people, but it was also to open the doors to a popish Pretender.

As this general election produced the last Scottish Parliament, it may be proper here to consider the conditions at which a Scottish

Parliament had arrived after the overthrow of the Spiritual Estate in the Revolution and the abolition of the Lords of the Articles.⁸ The famous Act of James I., in 1427-28, had relieved "the small barons and free tenants" of the duty of attending Parliaments and great Councils, provided that two or more wise men of each shire were chosen at the head court of the sheriffdom to be commissioners of the shire. Each shire was to pay the expenses of its commissioners. Meanwhile Bishops, Abbots, Priors, Dukes, Earls, "Lords of Parliament," and Bannerets were summoned by royal precept. The burgh aldermen, baillies, and other officers, till 1469, appear to have been elected in a popular way, "with multitude and clamour of common, simple persons," till November 1469. It was then decided that the old town council shall choose the new council, and that both together shall choose their parliamentary commissioner, baillies, and so on,—a change which tended naturally to place burgh representation in Parliament on a very narrow basis.

In the Regent Moray's Parliament of December 1567, while Queen Mary was a prisoner in Lochleven Castle, an Act was passed which constituted all non-noble county freeholders into an elective body, privileged to choose "one or two of the most qualified and wise barons within the shire" to represent the freeholders of the crown. The qualification of the electors and the mode of election were left rather vague. In December 1585 the electors were to be holders of not less than "forty-shilling land in free tenandry held of the king," and resident in the shire. In July 1587 all qualified freeholders of each shire, not being prelates or Lords of Parliament, were to be warned to be present at county elections at the first head court after Michaelmas yearly, unless, for reasons, any other date were preferred. There was annual election; but this custom tended to become obsolescent, and members were members during the existence of each Parliament. In 1703 the Rump of 1689 was still sitting. Most members were "old parliamentary hands," as, indeed, is obvious from the nature of their proceedings. In 1661 the county franchise was somewhat extended; in 1681 crown freeholders with a taxable landed rental of £400 were admitted.

The mode of election was also regulated anew in 1681. The freeholders were to meet on the first Tuesday in each May to draw up a roll of qualified electors, which was to be revised yearly

at the Michaelmas court. At the elections the electors were to meet in the room of the Sheriff Court, and no others were to be present except by their desire. The presence of others was a frequent ground of contesting the result of an election. One of the members of the last choice, or the Sheriff Clerk, was to bid the electors choose a chairman and a clerk. Then persons who wished to be on the roll as electors were to make and substantiate their claims, and objections were recorded, and later decided on, if now undecided, by Parliament, or, if no Parliament were sitting, by the Court of Session. In 1669 the residential qualification had been abolished. In 1690 new members, 26 in all, were allotted among fifteen counties: the shires had now, and until the Union in 1707, 92 representatives. The county electors were few in number, ranging from 12 in Bute to 205 in Ayrshire as late as 1788; and many electors did not usually take the trouble to come and vote.

In the burghs also voters were very few, merely the members of the incoming and outgoing town councils. In the House, officers of the Crown and peers sat in the same chamber with the representatives of counties and burghs. The House, in Scotland, was not a house of debate before the Parliament of 1640, when Lords of the Articles were first removed, to return with Charles II. at his happy restoration. The Parliaments of the Restoration were not wholly silent; nor did they pass a large block of legislation on one day, as had been the usage, when it was presented by the Lords of the Articles. Bills were talked over, and sometimes amended, throughout the course of the session; and we have seen that Lauderdale, when King's Commissioner, met with a great deal of constitutional opposition.

Under William and Mary, William, and Anne, members were occasionally checked, and even caused to quit the House, for indulgence in vivacities of language and gesture. The procedure was much as it is at present: leave was obtained to move a resolution; the Bill was read, or left to "lie on the table." There was a second reading, if so it seemed good; then came voting. If the Bill were carried, the Commissioner, if authorised by the Crown, must touch it with the sceptre before it became law. When touched, it had received the royal assent. Members after 1690 learned very quickly, or independently evolved, the methods and stratagems natural to debating and voting assemblies. The Royal

Commissioner, representing in fact "the Court," or the policy of the English Ministry, could usually obtain a majority by manipulating the various fluctuating groups into which members fell, and from which they were attracted into other groups, like the shifting combinations in a kaleidoscope. Members for shires and burghs sat on forms at the lower end of the hall; peers sat at the upper end, by the throne. Parties were not, as in England, separated from each other by the breadth of the floor, though there were moments when men's hands were on their sword-hilts.

Having thus sketched the aspect of the Scottish Parliament in its latest years, we return to the situation in 1703. Queensberry, the "proto-rebel" of 1689, has been already characterised as agreeable, lavish of money and of courtesy; so complex in his intrigues that we shall soon find him involved in a mystery almost as obscure as, and much more ramified than, "the Incident." His influence was all on the side of the Union. The Earl of Mar, again, impoverished by his grandfather's career, was ready to be of any party which promised personal advantages. The husband of a daughter of the Duke of Kingston, he proved in the end an uncomfortable brother-in-law to Lady Mary Wortley Montagu, and, while he was on the side of Union, under Anne, and alternately attached to the Whig and Tory parties of England,—Bobbing John, as he was called,—was to endeavour, in 1715, to break the Union, with consequences equally disastrous to Scotland, to the White Rose, and to his own reputation.

The Argyll of the moment was destined to die before the scheme of Union took shape, leaving his private affairs in an unpleasantly confused position. His successor, "Red John of the Battles," was the most distinguished of his ancient house: of him there is much to be told in this period of his country's history. One reproach is spared him: Argyll could not be called "obsequious" to king, or Minister, or party. The Atholl of the moment was also destined to brief days, and to trouble arising from his inclination to Jacobitism. Marchmont and Annandale we know already. Tweeddale was of the party who, without much enthusiasm, backed the Union from common-sense, as the least of many apparent evils. Watching them all, and noting their ways, was Lockhart of Carnwath, a Jacobite from patriotism and from dislike of the godly, rather than from sentiment. In reading Lockhart's account of these times we are frequently reminded, by the sardonic style, of a

later member of the clan,—“the Scorpion,”—John Gibson Lockhart, the son-in-law and biographer of Sir Walter Scott.

The chief factions to be represented were, first, that of “the Courtiers,” headed by Queensberry. They took their orders from the English Ministers, thus making Scotland subservient to, though her interests were not yet identical with, the interests of England. For the Courtiers, the Earl of Seafield dealt with the second party of the three, the Cavaliers, as the Jacobites still called themselves. His object was to get the legality of the last and disputed session of the Rump confirmed in the new Parliament. “With horrid assertions and solemn vows,” Seafield assured the Jacobites that Queen Anne “would trust the Government to their management,” and take care both of the distressed Royal family in exile “and of the Church.”

The result was that Seafield persuaded the Jacobites to elect several Presbyterians, but the Presbyterians voted solidly for none but such as were “True Blue.” The activity of the Presbyterian party was concentrated on one point—no tolerance even of popery or prelacy.

The Duke of Hamilton, the more than half Jacobite Arran of William’s reign, was a Hamilton only by the maternal, and a Douglas by the paternal, side—his mother being heiress of the Hamilton titles. Hoping to steady Arran, William had conferred the Dukedom of Hamilton on him; but nothing could make him steady. In March 1695 he had written to James with proposals for a French invasion, and with news, derived from Sunderland, as to the intended attack on Toulon by the Mediterranean fleet.⁹ After being created Duke by William, he had been, as has been seen, seeking popularity by his turbulence in the cause of the Darien Company. Lockhart gives him credit for “heroic courage” and great dexterity as a party manager. But in England he had great possessions, and, being “very active for his own preservation,” he was no audacious leader of the Jacobites. He was “somewhat too selfish and revengeful”—indeed, was an untrustworthy personage. In January 1703 an envoy was sent to him from Saint Germain. Young James suggested, or his advisers suggested, a secret treaty with Anne, assuring her the Crown for life, while arrangements were being made for a restoration. Meanwhile James should have the Crown of Scotland, and live with Anne (the author of the Memoir very innocently remarks) “in as strict friendship as their great

grandfather [James VI.] lived with Queen Elizabeth.”¹⁰ If any part of this plan succeeded, the Union would be as remote as ever.

In February 1703 Seafield came again from London with more promises to the Cavaliers, and a letter from the Queen to the Council, suggesting that the Episcopal ministers should be provided for out of the revenues of the Bishopricks,—a thing intolerable to the Presbyterians. Queensberry, who was Commissioner, promised all that the Cavaliers could hope for in this way, if they would vote for the legality of the last session of the Rump, recognise Anne’s title, and grant supplies,—so Lockhart avers.¹¹

In addition to the Court and Cavalier parties was the “Country party” (patriots by profession rather than Presbyterians, though more Presbyterian than Jacobite), led by Hamilton, while Home was the chief of the party of the White Rose. On May 6, 1703, was a stately and famous “Riding of Parliament” from Holyrood to the Parliament House. The glittering ceremonial was described in print and illustrated: on this occasion the street had been cleaned, a thing worthy to be had in everlasting remembrance. Knox, it will be remembered, denounced the wrath of God on “the stinking pride of women,” when Queen Mary did the riding in similar splendour.

Mr Hill Burton contrasts unfavourably the method of debate in this Parliament with the riper usages of England, but we have the witness of a member, Hume of Crossrig, to the fact that “there was long and tedious and nauseous repetitions in debate,” as is customary in legislative assemblies.¹²

The main object of Government was to obtain a vote of Supply, and for that reason they had wheedled the Cavaliers with promises to tolerate their religion. To carry out the Cavaliers’ share of the bargain, Hamilton presented a Bill recognising Anne and declaring it high treason to impugn her title. Argyll proposed an additional clause, making it high treason to impugn her exercise of the government since her accession. After some opposition the Cavaliers acquiesced, though the clause was ruinous to their hope of making the last session of the Rump (1702) illegal. They fully paid their pound of flesh, considering that they could trust the queen and the courtiers, with their promises, better than they could trust Presbyterians and the disgusted Courtiers who had just been removed from office.

Still anxious to conciliate the Courtiers and Queensberry, the Cavaliers chose the Earl of Home to move a vote of Supply: the grateful Queensberry renewed his vows to them, and, Lockhart believed, did so in good faith. But before Home spoke, Argyll, Annandale, and Marchmont went to Queensberry and told him that they, with a party holding Revolution principles, meant first, before Supply was moved, to ratify the Revolution and Presbyterian dominance. Queensberry, in a sea of troubles, knew not whither to turn. Home's motion for Supply was left to "lie on the table." Finally, Queensberry decided to desert the Cavaliers, break with Hamilton, and shelter himself under the protection of Argyll, Marchmont, and Annandale, whereby, of course, he was certain to cause the Cavaliers to oppose Supply. This Argyll, soon to leave "his lewd profligate life" (he kept a mistress, and was on ill terms with his wife), is accused by Lockhart of having "turned Papist to curry favour with King James"; and, on the old Scottish plan, he had, when Lorne, offered to serve against his father, the Earl who won the martyr's crown after his futile invasion in 1685. Now, at all events, he was "the darling of the Presbyterians."

Meanwhile, as against Home's shelved bill for Supply, Tweeddale had a motion for regulating the conditions of government and the preservation of religion and liberty after Anne's death. The Cavaliers, after remonstrating with Queensberry on his treachery towards them, which he could not deny, met, and determined to form an independent group. Balcarres, the inefficient ally of the great Dundee in 1689, deserted them; in 1715 he blundered into joining the Jacobite army. Marchmont's Bill for securing Presbyterian dominance passed,—Lothian declaring, amid shouts of laughter, that "the Presbyterian government was the best part of the Christian religion."¹³ The Bill for tolerating Episcopacy was dropped,—the Commission of the Kirk declaring that toleration was "the establishment of iniquity by law."¹⁴

Queensberry now fought hard for Supply, but the excited House insisted on first safeguarding Scotland from English domination. They would not grant taxes nor do any business till they had security for religion, liberty, laws, and trade; and the Cavaliers informed Queensberry that they would go, on this point, with the Country party.

The Cavalier and Country parties carried, against the Courtiers,

an "Act of Peace and War," making it unlawful, after Anne's death, for any monarch both of England and Scotland to declare war without consent of Parliament. This Act was "touched" in hopes that Supply would be granted; but not "touched" was the Scottish Act of Security. In England that Act settled the Crown, failing issue of the Queen's, on the House of Hanover. In Scotland there was fierce debating till September 16, when Queensberry adjourned the House. The debates were mainly concerned with the procedure to follow on the Queen's death; but as Queen Anne survived the institution of a Scottish Parliament, all the eloquence of the solitary, patriotic, advanced Liberal, Saltoun, recorded in his works, and all the finesse, went for nothing. The decision was that, when Queen Anne died, the Estates should name a successor descended from the Royal line of Scotland; but he or she should not be the person who succeeded to the Crown of England, except under conditions securing the honour and sovereignty of the Scottish kingdom, frequent Parliaments, and safety of Scottish trade, religion, navigation, and colonies, and liberty from English or any foreign influences. The terms were almost identical with those in a motion of the Earl of Roxburgh, of July 16.¹⁵ A clause enjoined on landlords and burghs the duty of arming and drilling "fencible" Protestants: this looked like preparation for war with England. The debates were very fierce and noisy. Atholl, Seafield, and Cromarty seceded from the Courtiers and joined the Cavaliers. Queensberry refused to touch the Act of Security,—he had no warrant to do so; and the Act produced no effect, except as a safety-valve for Saltoun's eloquence, for patriotic emotion, and for defiance of England. In this capacity it showed how necessary the Union was, and what difficulties beset its achievement on every hand. No Supply had yet been granted; an Act permitting the importation of French wines, despite the war with France, was passed, and on September 5 the House was full of members and strangers who, for the space of about two hours, bellowed "Liberty!" and "No Subsidy!"¹⁶ Next day the House was prorogued. The English tendency, at least as much after as before the Union, was to ignore Scotland. For a while it was plain that Scotland could not safely be ignored.

On one point the semi-republican Saltoun and all true Scottish hearts, whether Jacobite or Presbyterian, were certainly in the right. "The Courtiers," the Queensberry administration, were

governed by their deference to Godolphin and the other English ministers of Queen Anne. Their position, so far as they were honest in pressing for the Union and for the acknowledgment of the succession of the House of Hanover, left them no choice. They must consult with the English Ministers and be guided by their advice, for they were all working towards the same end, Union, and a single king for both countries, after the death of Queen Anne. The majority of Scots, all the trading class in particular, and the more moderate ministers, despite covenanting scruples, could look forward to no better issue. "There are good marriages, but no delightful marriages," says de la Rochefoucauld. The wedding of the two kingdoms, if not good, was the least of many evils: "delightful" it could not be, but it would save Protestantism and might improve trade. But, on the other hand, the most calmly sensible Scots could not but detest the obsequiousness of Queensberry's administration in their relations with Godolphin and the English Government. The independence of Scotland was practically non-existent: except in debate, she was ruled, or threatened with the prospect of being ruled, from England. Queensberry was vexed by all that was said of him, publicly and privately, by his opponents in and out of the Scots Parliament. When a chance was given him of proving that some of them were dealing with the king over the water, he took the opportunity of proving their disloyalty to Protestantism, always the most useful of accusations against an adversary. He became involved in a plot against a plot.

The crisis produced by Scottish parliamentary eloquence and public emotion distressed statesmen like Harley, who appealed to the moderating influence of "Cardinal Carstares," as that quiet and astute politician was nicknamed. In Parliament, said Harley, there had been "heat without light." The speeches had been printed and circulated in England, where people took very little interest in, and did not pretend to understand them. That was precisely the Scottish grievance. Nobody understood that if they dwelt in an independent kingdom they must not be ruled by the Ministers of another kingdom, enjoying privileges which they did not share.¹⁷ Carstares was called to London to give advice. The Queen was dissatisfied with Atholl, and more so with the Scottish Act of Security: such measures should be considered after, not before, the Treaty of Union.¹⁸

Atholl's difference with Queensberry was important. He had a great Highland following of fighting men, and the House was always in a wavering balance, dipping towards Jacobitism. Colonel Hooke was showering Jacobite memoirs on De Torcy, foreign Minister of Louis XIV.; and now a remarkable person, Simon Fraser of Beaufort, by revealing things true and false to Queensberry, induced him to meddle in a scheme of proving the treason of Atholl and other distrusted Scottish politicians. The consequences were ramified and of long endurance: the facts reveal a strange state of society and morality in the Highlands.

Hugh Fraser, ninth Lord Lovat, had a brother, Thomas Fraser of Beaufort, who survived his brother's grand-nephew, Hugh, eleventh Lord Lovat, and was thus male heir to the Lovat title and estates. The eleventh Lord Lovat had married Amelia Murray, daughter of the first Marquis of Atholl: he had no son, and resigned his lordship to procure a new charter, with descent secured to his daughters, who would be under Atholl influence. He later reverted to affection for the male line, represented by Fraser of Beaufort, his great-uncle, and by his male progeny. But Lord Lovat died, and things were left in confusion. Old Beaufort seems to have been supine, but his son, Simon Fraser, insisted that the clan must elect a chief (himself). He might have married the heiress, if Lovat's attempt to restore the male line failed, but this did not suit Atholl. An attempt to elope with the heiress failed, and Atholl removed the child, aged nine years, to his castle of Blair. Meanwhile Simon, an officer in Tullibardine's regiment, quarrelled with his colonel, whom he accuses of cowardice, and set up as Master of Lovat, playing his own game for his own hand. Atholl looked round to find a Fraser who might wed the Lovat heiress, and yet be subservient to himself. He found his man in the Master of Saltoun, a Lowland Fraser who had not the Gaelic. A written remonstrance was sent to Lord Saltoun by Beaufort, Simon's father, and twenty lairds of the Fraser clan: if Saltoun visited the Frasers who took his part, he would not soon go home again. Saltoun, however, with Lord Mungo, a son of Atholl's, did visit the friendly set of Frasers. On his return he was seized by the Frasers of the Beaufort party, near Inverness, under Simon, and, with all his company, was carried to the tower of Finellan. On looking out of the window next morning, he saw a gallows and ladder convenient, and a gathering of 500 armed Frasers. He contracted a serious illness

under the threats with which he was entertained, and was forced to choose between the gibbet and a written renunciation of his scheme. He selected the latter alternative.

Atholl now procured permission to march in force against Simon for appearing with an armed band. According to an ally of Simon, Major Fraser of Castle Leathers, he now conceived the fantastic idea of conciliating Atholl by marrying that nobleman's daughter, the dowager Lady Lovat, mother of the heiress. With his clansmen he seized her: "there was some harsh measures taken, a parson sent for" (Mr Munro, minister of Abertarff), "and the bagpipe blown," apparently to smother the remonstrances of the reluctant bride. In about a week, according to Castle Leathers, the lady, "vowing she would ne'er consent, consented," and, like Lord Bateman in the ballad, "prepared another marriage," at which the Rev. Mr Fraser, minister of Kilmorach, officiated, the bagpipe being silent and the bride willing.

Simon now retired to Eilean Aigas, an isle in the Beaulieu river, later the home of the Pretenders of the nineteenth century, John and Charles Allen, otherwise John Sobieski and Charles Edward Sobieski Stuart. Here Simon was safe, and did not answer to a summons on a charge of treasonable armed assembly. After many uproarious proceedings, Simon's bride was carried to Atholl's house at Dunkeld, and, willingly or unwillingly, renounced her marriage. Simon fled from Atholl's forces to Skye, but returned and captured two of Atholl's sons, Lord James and Lord Mungo, whom he released. Simon now went boldly to Edinburgh to prove his innocence of a rape on the Dowager Lady Lovat. He relied on the protection of Argyll, who was pursuing his ancient feud with the House of Atholl. But all that Argyll could do was to supply Simon with horses and money for instant flight. He escaped to France, where he made interest, as being a powerful and loyal Jacobite, with the Foreign Minister, De Torcy, and with James II. On the king's death he still persevered, but his record was not satisfactory to a pious Princess, like Mary of Modena; and when, in 1707, Simon was allowed, outlaw as he was on the charge of treason, to go to Scotland and try the temper of the clans, he, in fact, was brought by Argyll to Queensberry in Edinburgh and betrayed his mission. He was accompanied, or rather preceded, by the watchful James Murray, of the House of Abercairney, to observe his movements, and, after seeing Queens-

berry, he went with Murray to the Highlands.* What he did there was of little importance. He has told his own story in his own way in *Memoirs* couched in French. (There is an English translation of 1797.) This is one of the most entertaining of books: the ancient and loyal nobility of the Frasers; the gallant, chivalrous, and courageous conduct of Simon; the poltroonery of Tullibardine; the virtues of Argyll; the ineffable wickedness of some "traitor Frasers"; the black duplicity and treachery of Glengarry; the feebleness of Lord Saltoun,—are all described in a manner worthy of Barry Lyndon, whom Lovat, though a better educated man, greatly resembled in character and accomplishments.

Returning from the Highlands, without much success, he *did* wait on Queensberry,—“in order,” he says, “to amuse and throw him on a wrong scent.” Queensberry said that he knew all about Simon Lovat’s business, and advised him to betray all he knew against Atholl (Simon Lovat’s deadly foe) and Hamilton. Simon replied that Hamilton “was devoured by the absurd idea”—the old Hamilton idea—“of becoming himself king of Scotland.” Hamilton had told Graham of Fintry that the Presbyterians would back his claims, and that he patronised the Cavaliers merely for the purpose of embroiling the kingdom. Simon knew that Hamilton had dealt with James (which was true), and that “he had never expended a sixpence” for the Prince,—which is probable. Atholl, he said, had been the most faithless of men to James, and a persecutor of himself. He therefore told Queensberry everything against Atholl and Hamilton which rumour and a lively imagination could suggest. They had commissions from Saint Germain: they would rise at the first opportunity to restore their king.

The delighted Queensberry offered Lovat an amnesty, a regiment, a pension, and the justiciaryship of Inverness. Lovat replied that, in honour, he must first revisit his exiled king, and then, if he permitted, would make his peace with Queen Anne. All he asked for was a passport signed by Queensberry. This he received: he was also to visit Queensberry secretly in London, to obtain an English passport for Holland. Lord Drummond con-

* This James Murray was the uncle of Murray of Broughton, the Secretary of Prince Charles in 1745. Broughton says that Simon Fraser, finding Murray inconvenient, induced the Government to place a reward of £500 on his head. He then fled to France. (*Memorials of John Murray of Broughton*, pp. 15, 16.)

gratulated him on the success of his "romances" about Atholl and Hamilton, "and such was the first and sole guilt of Lord Lovat."

This is Lovat's story.¹⁹

In London Lovat made acquaintance with Ferguson the Plotter, and William Keith, a retainer of Atholl. To them he posed as an ardent Jacobite, who wished, for loyal purposes, to be reconciled to Atholl. Ferguson, smelling out Lovat's design to implicate and ruin Atholl, gave the Duke warning, and Atholl, in self-defence, informed Queen Anne of the whole intrigue—"The Queensberry Plot." Queensberry, on his side, declared that Lovat when in Scotland had offered himself as a spy, and as a spy had been given a passport to France to make more discoveries. As against Atholl, Lovat had produced a letter of Mary of Modena to L—— M—— that is, "Lord Murray," the title under which the Court of France recognised Tullibardine, now Duke of Atholl on his father's death. This letter Queensberry sent, as proof against Atholl, to Queen Anne. It appears that this was an unaddressed letter of Mary's, not meant for Atholl,—nobody would dream of approaching Atholl through Lovat,—and that the address to L—— M—— was the work of Lovat himself.²⁰ Arrived in France, Lovat was suspected, and lay long in durance, indeed till 1715.*

Queensberry was now in an awkward situation, for he had produced the letter to L—— M—— as evidence against Atholl, who was in Scotland, and the world was buzzing with tales of Scottish disloyalty. In Scotland it was angrily urged that instead of employing Simon as a spy and denouncing Atholl to the English Ministry, Queensberry should have locked Simon up and publicly examined into the affair at home. There he was looked upon, with Argyll, as himself the chief conspirator, and Simon as his *agent provocateur*, in a scheme to ruin Cavaliers. On returning to France, it was said Simon had orders to get letters from the Court of St Germain to Atholl, Hamilton, Seafield, Cromarty, and the Cavaliers. He would give these letters to Queensberry, who would then use them in his revenge upon good Scots—his parliamentary opponents. This was Lockhart's view of the case, and no doubt the view was popular.²¹

Atholl, warned by Ferguson, proved to Queen Anne his own innocence, while she invited the Scottish Privy Council to investigate the case. But the Whigs who ruled the English House

* See Macpherson's State Papers, i. 641-690, for details.

of Lords selected a committee of their own body to conduct an inquiry, thereby increasing Scottish irritation. They found a conspiracy proved, and that the Scottish refusal to accept the Hanoverian Succession in the late session was the plotters' opportunity. The English House of Commons resented this as an unconstitutional proceeding on the part of the Lords, a mere Tory move against the Whig peers, but popular in Scotland.²²

Whatever the case of Atholl might be, Hamilton was so deeply dipped in Jacobite intrigue that he felt himself in danger. As was his practice, he deceived the Cavaliers while he kept measures with them, if we believe Lockhart. That historian was *lié* with Hamilton to the end, yet has frequently to record his disappointing evasions. When Atholl reported from London the perils of the situation and the excitement about the plot, Hamilton convened numbers both of the Cavalier and Country parties. He first consulted fairly safe men, such as Tweeddale, Roxburgh, Rothes, Belhaven, and Jerviswood, without speaking his mind to Lockhart, Strathmore, Home, and other Cavaliers. As envoys to go to London he and his safe men selected Jerviswood—a noted Presbyterian,—Rothes, and Roxburgh. The Cavaliers could not reject but did not trust these envoys, whose business was to persuade the queen of the necessity for a speedy meeting of the Scots Parliament to inquire into Queensberry's charges of disloyalty. The consequence was that the emissaries "depended sneakingly on the English Ministry," and were only useful to Hamilton by allying the Country rather than the Cavalier party with his interests.²³ Anne disclaimed an intention of keeping an English army in Scotland, an idea supposed to have been mooted by Stair in Council. Godolphin employed Johnstone (the son of the ancient Covenanter of evil days, Waristoun) to deal with the three Scots, and a bargain was struck with them. They, with Tweeddale and the Country party, were to be allowed to propose limitations on Anne's successor, and by their command of office and places they would secure in Scotland the claims of the House of Hanover.

Queensberry had fallen almost into ridicule, and quite under suspicion, through the plot of Simon. He was not, therefore, reappointed as Royal Commissioner: that important post was entrusted to the less obnoxious and less able Tweeddale, "a well-meaning but simple man." Cromarty (Tarbat) was alone in

the Secretary's place, Seafield was still Chancellor. Johnstone was Lord Register, and was regarded as the subtlest and most sycophantic of Courtiers. Johnstone, ransacking records, like his father, found a precedent of 1641, in favour of "a policy of securing the succession at the price of a few limitations." The Cavaliers well understood all these machinations, and arranged that the discontented friends of the fallen Queensberry should join them in opposing the plans which the English Ministry had entrusted to the new Commissioner, Tweeddale, while they on their side would stifle the inquiry as to Queensberry's dealings with Simon. In truth, they cannot have been anxious to see an investigation of the intrigues with St Germain and the French Court. Many men deserted the Cavaliers and the Country party, following the lead of Tweeddale, Roxburgh, and Jerviswood, and worked in the interests of the Court: they may have found light enough to see that these were also the true interests of Scotland.²⁴ Their old associates, however, thought that they had been won over by less reputable motives. However that may be, the disgusted Queensberryites, and "the courage and conduct of the Cavaliers," secured the honour of the nation and the disappointment of the so-called Courtiers.

On July 11, 1704, Tweeddale presented the Queen's Message to the Scottish Parliament. Their dissensions, she said, encouraged her enemies across the seas. She insisted that they must show their sense and loyalty by settling the Succession in the Hanover line. Any reasonable proposals of limitations on the prerogative of that line would be accepted by her. She hoped that they would improve trade and industries. Tweeddale added that the evidence as to Simon's plot would be laid before the House.

On July 13 Hamilton produced, and on July 17 spoke to, a motion that the House would not touch on the Succession till they had a satisfactory treaty on trade, and other matters, with England. Rothes proposed the converse course. Which motion was to be first debated? Lord Phesdo (Falconer, a judge) proposed to blend the motions (the intricacies of parliamentary methods here become vexatious in a high degree); the Courtiers were compelled to allow a vote by the speech of "a certain member," probably Lockhart. He spoke of "demanding the vote sword in hand," and the vote was in favour of "the two resolves as conjoined together."²⁵ The general public was

charmed, Hamilton was applauded: it was a night of mirth and jollity. The double-barrelled motion now ran to this effect: "Resolved that this House will not proceed to the nomination of a successor until we have had a previous treaty with England, for regulating our commerce and other affairs with that nation. And further resolved, that this Parliament will proceed to make such limitations and conditions of Government for the rectification of our Constitution as may secure the religion, independence, and liberty of this nation, before they proceed to the nomination of a successor to the Crown." ²⁶

Marchmont next drew the trail of "No Popery, no Pretender," across the line of the appointed discussion, and much eloquence was let loose. As days went on a Bill of Supply passed its first reading, and on July 25 Hamilton brought in a new device culled from the English parliamentary armoury—the "tacking" of last year's Act of Security and free trade with England to the money bill. By way of a contemporary account of these manœuvres, we may quote an extract from the Diary for this day (July 25) of a member who does not conceal the tedium of the "long and nauseous debates." Hume of Crossrig confides to his journal that "It was moved by the Earl Marischal and the Duke of Hamilton that the Act of Security might be read, and added as a clause to the Act of Supply. It was said by Lord Marchmont [*sic*], he desired to be heard before reading. No, said the Earl of Marchmont, it behoved first to be read, for it was a part of his speech. Earl of Buchan said if the Earl of Marischal had a mind to read the Act he might, as a part of his speech; but the Clerk could not read it till members be heard why it should not be read. The Earl of Marchmont desired to be heard why it should not be read. Earl Rugland said he was up before the Earl of Marchmont, and desired to be heard, so there was a long jangle. . . ."

Still more lively was Fletcher of Saltoun. "He knew and could make it appear that the Lord Register [Johnstone] had undertaken to promote the English designs for promotion to himself. The Register said there could be no influence but the place he had, and it was known he had lost a higher place for his concern for his country. . . . Saltoun still insisting, Sir James Halkett said he was impertinent. Saltoun said he who would call him impertinent was a rascal. . . . I came out,"

ends honest Crossrig, — and we only wish to imitate him as rapidly as possible.²⁷

On August 5 Tweeddale, having instructions so to do, touched and passed that Act of Security (lacking the clause on communication of trade) which, in the previous session, had been voted but not touched. In return, the House voted Supplies for six months, the price of the touching, about £25,000.

The instant need of Supply for troops, as discontented as unpaid soldiers are wont to be, procured the touching of the Act of Security. The Cavaliers were now anxious to nominate "honest men" as Commissioners for the Treaty of Union. But Fletcher of Saltoun seized the occasion for a harangue against the behaviour of the English Lords' Committee of Inquiry into the Plot, and as the Plot was essentially private business the angriest passions were aroused, Hamilton and Annandale being especially fierce. No Plot papers were produced, no Commissioners for the Union were elected, as it could not be known who were under suspicion of treason. The Act of Security thus reached England unmitigated by any advance towards union, while the Cavaliers lost their chance of having Commissioners of their own mind. An Address to the Queen threw the blame on the impertinence of the English House of Lords and the absence of the Plot papers and witnesses.²⁸ In delaying the recognition of the House of Hanover, the Scots thought that they had a *fulcrum* whence to move England to their will; but the English, when they slowly and reluctantly began to trouble themselves on the subject, showed that they had the means of putting pressure on Scotland.

The English House of Lords in November was addressed by Lord Haversham on the state of Scottish affairs. The Protestant heritors and the boroughs had been ordered to arm and exercise their fencible men once a-month. This movement, he said, might be meant to resist French invasion and a Highland rising, or it might have another intention. Here, then, in Scotland was great poverty, great discontent, and an armed and disciplined multitude. France was in the background, expectant.

These perils were matter of debate on November 29, and Queen Anne was present—"to moderate the heats." She sat on a bench beside the fire—because of the cold.²⁹ Though a lady was present, noble Lords were not much more polite than Fletcher of Saltoun, and Mohun tried to have Nottingham sent to the Tower for a

remark about the late king. The Peers, without censuring the Scottish Act of Security, decided to accept a Bill from the Commons. The Queen should be enabled by Act to name Commissioners to treat for a Union when the Scots Parliament had taken the same step. By way of squeezing the Scots, they were to have no privileges as Englishmen (what had they before?), with some exceptions, as of officers in English service and Scots settled in England or the Colonies. Scottish cattle were to be excluded from England; Scottish ships trading with France were to be captured; English wool was not to be imported into Scotland; Scottish coals and linen were to be excluded; and the northern ports and Carlisle were to be fortified, the militia drilled, and regular troops moved to the border. These precautions were proposed in an Address of the Lords to the Queen. The clause arming Protestants of the Northern counties alone did not pass: the rest was to come into operation after Christmas 1705, unless the Scots by that date accepted the Hanoverian succession. The *Post Nati* Act of James VI. and I. would be repealed.³⁰

Tweeddale had to resign in spring 1705, and the new young Duke of Argyll was appointed Commissioner. Roxburgh, in London, heard that Argyll and his followers would be for a Treaty with England, while, if Hamilton was against it, nothing could be done. He was "vain and necessitous," but to purchase him would require time and trouble. Meanwhile, the new Scottish Ministers were Seafield, Roxburgh (Secretaries), and Rothes (Privy Seal),—all these being traitors in the eyes of men of sound Cavalier principles like Lockhart of Carnwath. Jerviswood and Lord Selkirk also accepted office, "all cheerfully concurring with the designed ruin of their native country. . . . But few and evil were their days," for young Argyll presently took matters into his own hands, and a new Ministry served under him.³¹

The renegades had hardly sipped the sweets of power when Seafield was made Chancellor, Annandale and Loudoun, Secretaries of State, Queensberry, Privy Seal, and Philiphaugh, Lord Register, with Cockburn of Ormiston as Lord Justice. But before these changes occurred, a brilliant little feat of arms was achieved for the Scottish East India Company by their Secretary, Mr Roderick Mackenzie,—a gentleman already mentioned as having been baited by the inquiries of the English Parliament in 1695, when they interfered with the nascent enterprise of Darien.

The Scottish East India Company had kept up an aspect of animation, and had on hand various small shipping ventures. There was anxiety about the fate of a vessel long missing, a ship which had come back from Darien, *The Speedy Return* (Captain Drummond), and excitement about *The Annandale*, which had been seized in the Thames at the instance of the East India Company, for some real or alleged breach of that Company's privileges.

In August 1704 an English vessel, *The Worcester* (Captain Green), came into Leith roads to repair. Mr Roderick Mackenzie now beheld a chance of exercising the Scottish Company's right "to seek and take reparation for injuries done by sea and land." As the Government of Scotland would not move, Mackenzie stepped into the High Street on a Saturday afternoon, and, as he says, "got together a sufficient number of genteel pretty fellows,"—"pretty" meaning bold and athletic. He mustered an eleven, who had pistols as well as swords; divided them into two small boat-parties, starting one from Newhaven, the other from Leith; and, with all the materials for making punch on board, the gentlemen visited *The Worcester* as friendly sight-seers. When a good deal had been drunk, and a Scottish song was being sung, the officers of *The Worcester* found pistols presented at their heads: the crew ran for the loaded blunderbusses lying ready on racks, but between them and their weapons shone the swords of the Scottish gentlemen. *The Worcester's* men were bound, the cargo was sealed up, and *The Worcester* lay without rudder or sails in Burntisland harbour, under her own guns, which Mackenzie mounted in an old fort on shore. An English man-of-war was lying in the Firth, within sound of a pistol shot, but no shot was fired.

The cutting out of *The Worcester* occurred on August 12; Mackenzie began an action against the ship in the Scottish Court of Admiralty, and, in his report of September 4, wrote that "from some very odd expressions dropped now and then from the ship's crew," who had fraternised with the people at Burntisland, he suspected that they had been "guilty of some very unwarrantable practices." In fact, the friends of the officers and crew of the missing ship, *The Speedy Return*, had very naturally asked the mariners of *The Worcester* if they had any news of that vessel. "You won't see her in haste," said an English sailor named

Haines, to Mackenzie, and he babbled of terrible deeds done by the sloop of *The Worcester* on the coast of Malabar. Other men of the ship dropped hints in their cups, and Haines made confidences to a girl with whom he was in love: the girl did her best to keep his secret.

The Privy Council now arrested and examined *The Worcester's* men, and, on March 5, 1705, their trial began before the Scottish Court of Admiralty. The popular conviction was that *The Worcester* had seized the Company's missing vessel, the ill-named *Speedy Return*. On the Bench were Loudoun, Belhaven—an energetic friend of the Darien venture,—Hume of Blackadder, and two of the judges, Dundas of Arniston and Cockburn of Ormiston—a Whig of the party of the Courtiers. The surgeon of *The Worcester*, Mr May, and two Africans, the cook's mate and the captain's man, gave evidence that, off the coast of Malabar, about February or March 1703, the sloop of *The Worcester* had piratically seized a ship and murdered English or Scottish sailors. May, who was on shore, had heard firing, and learned from the black sea-cook, Francisco, that he himself had been wounded in the fight, and that the crew of the captured vessel had been killed in cold blood. It was also proved that the cargo of *The Worcester* consisted of arms valued at only £1000, while she carried twenty guns, and had a crew of thirty-six men, and her captain communicated with her owners in cypher. *The Worcester*, "the old black bitch" as one of her crew called her, certainly does not seem to have been engaged in legitimate commerce.

The jury found that "there was one clear witness," the black cook (who was dying when he gave evidence), to "robbery, piracy, and murder," and that there was cumulative corroboration. It was not alleged that the pirated vessel was *The Speedy Return*; piracy had been committed on some vessel unknown, and there was, so to speak, no *corpus delicti*. The captain, Green, was condemned, with four others, to be hanged on April 4, four others on April 11, the other five on April 18. Meanwhile Haines, who had already blabbed, and another sailor named Bruckley, made full confessions: Haines had already spoken to Anne Seaton, the girl whom he was courting, of something valuable to the prosecution: he now said that it was his diary of the voyage, which he had thrown into the sea.

On March 28, 1705, came a letter to the Chancellor from the

queen, written by Argyll, and ordering a respite till the whole case was laid before her Majesty. The Privy Council, as the queen's proceeding was informal, sent in an account of the trial, but asked that no respite should be granted.³² A week's respite, however, April 4-11, was permitted to Captain Green. Meanwhile, on March 21, two English sailors at Portsmouth had made affidavit that they had been members of the crew of *The Speedy Return*, and that they had escaped from pirates who took that vessel off the coast of Madagascar, while Captain Drummond was on shore. If they told truth, Green did not seize *The Speedy Return*. "This business of Green is the devil and all, it has spoiled all business," namely as to the Union, wrote Secretary Johnstone from London (April 9). In the Cabinet Somers said that he knew not Scots law, but by all the law he knew the trial was illegal, as no ship was specified as the victim of Captain Green.³³ The English Whigs said that the trial was a Jacobite move: it would make a good cry for them at the elections. On April 10 a mob, demanding the death of Green, arose in Edinburgh; on April 11 it roared round the meeting-place of the Privy Council in the Parliament House. The Chancellor was attacked in his carriage, and had to take refuge in a friend's house. The Council gave in to the mob: Green, Madder, and another were duly hanged on Leith sands.

Many years later (1737), Forbes of Culloden, in 1705 a very young man, told the House of Commons, on the occasion of the Porteous Riot, that he had believed in Green's innocence, had attended his funeral, and knew that, after his hanging, letters reached the friends of the crew of *The Speedy Return* announcing their safety. What was the date of these letters, and what was the date of the seizure of *The Speedy Return* off Madagascar, according to the affidavits of two Englishmen of the crew? In 1729 'Robert Drury's Journal' appeared, and Drury testified that he met Captain Drummond in Madagascar, long after Green's hanging. But the latest editor of Drury's 'Journal,' Captain Pasco Oliver (1890), makes it appear that the book is a fanciful compilation, probably by De Foe, and that Drury was himself a pirate,—at all events, was a suspicious character. Finally, Hamilton, in his 'New Account of the East Indies,' chap. xxv. (1727), describes at length his own meeting with Green and his crew, including May, the surgeon, at Calicut, in February 1703. Green told Hamilton

that he had sold most of his cargo of arms to pirates in Madagascar. The mate, Madder or Mather, in Hamilton's presence, confessed to crimes, which the crew of drunkards, he feared, were sure to blab. Hamilton replied that he had been informed of their sinking a sloop with European sailors off Coiloan. The surgeon, May, told Hamilton what he later told the Scottish Court at the trial. "I have heard of as great innocents condemned to death as they were," ends Hamilton drily. Captain Green, it seems, in Lord Braxfield's words, "was nane the waur o' a hanging," but probably he was not guilty of the seizure of *The Speedy Return*.³⁴

During these proceedings Tweeddale's party yielded place to Argyll, and constituted themselves into the *Squadron Volante*, a mass of votes that might turn the scales when so it suited the leaders. It was a Parliament of groups, not of a united Government and compact Opposition, that met on July 3, 1705. The new Commissioner, the young Duke of Argyll, was the greatest man of the family since the friend of Bruce, Sir Nigel. He was no coward, either in Council or on the field of battle. He had no desire to practise the statesmanship which is led by the mass of the party, and, in a familiar phrase, to "shout with the larger mob." Though he inherited the liking of the Presbyterian party, he was not a Puritan in his private life: indeed, perhaps, none of the house ever was, except the martyred Marquis. His letters announce his determination to employ only steady friends of the Revolution of 1688, though Tweeddale's friends of the *Squadron Volante* were supposed to stand high in the favours of Queen Anne. He asked for Green Ribbons (of the Order of the Thistle) for Lothian, Mar (the Mar of 1715), and Haddington, and remarked that some twenty votes had been lost by injudicious thrift in not purchasing them.³⁵ His Ministry, as we have seen, were Whigs.

The Queen's Message, read on July 3, 1705, and the speeches of Argyll as Commissioner, and of the Chancellor, all dwelt on the urgent necessity of arranging a Treaty of Union; but the House preferred to begin by discussing questions of trade and finance, fishing and salt-making, the currency, and the banking dreams of a Dr Chamberlain and of the brilliant gambler, Law "of Lauriston," later so famous as the deviser of the Mississippi Scheme. All this was deliberate waste of time—the Darien affair had proved that Scotland could not be a great trading country on her own bottom. Lockhart himself saw that the Cavaliers should have gone into the

question of the Treaty of Union while they were fresh and the session was young. Then they might have rejected the Treaty or modified it to their minds, electing partisans of their own as Commissioners to meet those of England. But as time went on, the money and influence of the Court, and the wiles of Queensberry, who came late to Scotland, won votes if not hearts for the English policy.³⁶ One useful vote created a Council of Trade to inquire into the national finances. After about three weeks (July), the malcontents, under Hamilton, resolved that they must have a treaty settling commercial and other relations with England before they would settle on a successor to Queen Anne, who, good lady, was always seeing her winding-sheet waved before her eyes,—as Queen Elizabeth had expressed it. The House also decided that they would make such limitations to the future monarch's power as they pleased, before nominating the coming king. To the horror of good Cavaliers, the Marquis of Montrose, the great-grandson of the hero, voted against them by the side of the son of the detested Johnstone of Waristoun. Worse, he had taken the Holy Communion at the hands of Presbyterian ministers, which was equivalent to confessing their power to excommunicate the great Marquis. But *he*, too, had been a Covenanter,—a point forgotten by Cavaliers!³⁷

The House now drifted back to questions of trade, probably on purpose to show the English how little they cared for them. At the end of July, however, Lothian demanded a first reading of his Bill for a Treaty, while the Opposition insisted that a Bill of Limitations on the power of the future monarch should first be taken. They carried the vote by a majority of three, says Argyll, and by the aid of the *Squadron Volante*. Yet, as Argyll writes indignantly, some of these men had offices and others had pensions. An example should be made of Cromarty, the Commissioner wrote, Cromarty being the Tarbet of the years following the Revolution. The "limitations," much akin to those forced on Charles I. during the period of the Bishops' Wars, were voted, but were not "touched" with the sceptre.³⁸

The Cavaliers restricting royal power presented an odd spectacle, but they had good party reasons of popularity and obstructiveness. Fletcher presented a grand scheme of eleven Radical measures, the twelfth being that the king was to forfeit his crown if he infringed any one of them. "Most part of people here are stark mad, and

do not themselves know what they would be at," wrote Argyll; but the various groups of the motley Opposition knew their own private motives, in each case, very well. On August 24 Mar's motion as to a Treaty of Union was considered: this is the Mar who led and bungled the rising of 1715. Fletcher denounced the insolence of the recent English Act. That Act gave to Queen Anne the nomination of Commissioners to arrange the Treaty: Mar's draft left a blank on this important point. The Cavalier and Country parties strove "to clog the Commission with such restrictions as should retard the Treaty's taking effect." Hamilton proposed "that the Union should no ways derogate from any fundamental laws, ancient privileges, offices, rights, liberties, and dignities of this nation." Of course such a union would not be "an incorporating union" at all. Hamilton's resolution was defeated by only two votes; a few canny Cavaliers did not attend when the vote was taken,—probably they saw just in time that a quarrel with England and the fulfilment of the threat to make Scotsmen aliens were not desirable results. These results really honest Cavaliers were pining for; the king over the water would have his opportunity. But common-sense triumphed over romance. "From this day may we date the commencement of Scotland's ruin," writes Lockhart; and, as a matter of fact, during the remainder of his life Scotland seemed to have lost her dignity as a nation, and gained very little in the way of worldly wealth. Hamilton, acting treacherously as Cavaliers thought, had proposed that the queen should have the nomination of the Commissioners, as Commissioners for a treaty there were to be. "The true matter was, his Grace had a great mind to be one of the treaters himself." Parliament saved its dignity by an address to the Crown, praying that nothing should be done in the treaty till the English dropped their threat of making the Scots aliens. Supply was granted, Argyll adjourned till December, and the session, he writes, "ended with all the decency imaginable."

The Court had recognised that with time and tact Hamilton was to be won. They had gained him, and the English menace of alienation had produced its effect. Even Lockhart could not conceal from himself that the House, in its heart, despite loud patriotic talk and adverse votes, did desire the Treaty of Union. After a miserable century of presbyterial government, Cavalier persecutions, poverty, strife, and demoralisation, men were returning to the wisdom of Bacon and James VI.

NOTES TO CHAPTER IV.

- ¹ Lockhart Papers, i. 47 ; i. 276, "Letter to an English Lord."
- ² Lockhart Papers, i. 44-47.
- ³ Jerviswood Correspondence, pp. 2-7.
- ⁴ Lockhart Papers, i. 48 ; Carstares Papers, pp. 714-716.
- ⁵ Jerviswood Correspondence, pp. 7, 8.
- ⁶ Lockhart Papers, i. 52.
- ⁷ Jerviswood Correspondence, p. 11.
- ⁸ The facts are collected and set forth in Professor Sanford Terry's 'The Scottish Parliament,' 1603-1707. MacLehose, Glasgow, 1905.
- ⁹ Macpherson, Original Papers, i. 512-514.
- ¹⁰ Macpherson, Original Papers, i. 623-625.
- ¹¹ Lockhart Papers, i. 51-59.
- ¹² Hume of Crossrig's Diary, p. 101.
- ¹³ Lockhart Papers, i. 65.
- ¹⁴ Lockhart Papers, i. 66.
- ¹⁵ Crossrig's Diary, p. 117.
- ¹⁶ Lockhart Papers, i. 69.
- ¹⁷ Carstares Papers, pp. 719-722. August 19, Sept. 16, 1703.
- ¹⁸ Atholl MSS., Historical Manuscripts Commission, XII., viii. 61.
- ¹⁹ Lovat, pp. 160-182 : 1797.
- ²⁰ Lockhart, i. 78-83 ; Ferguson the Plotter, pp. 336, 342.
- ²¹ Lockhart Papers, i. 81.
- ²² The story of Lovat's affair is based on Lockhart, Macpherson's Papers, 'Major Fraser's Manuscript,' edited by Colonel Fergusson (Edinburgh, 1889), and Lovat's Own Memoirs. Cf. Mr Mackinnon's 'Union of Scotland and England,' "A Plot and its Sequel."
- ²³ Lockhart Papers, i. 93, 94.
- ²⁴ Lockhart Papers, i. 96-99.
- ²⁵ Lockhart Papers, i. 101, 102.
- ²⁶ Lockhart Papers, i. 101.
- ²⁷ Hume of Crossrig's Diary, pp. 145-148.
- ²⁸ Act. Parl. Scot., xi. 204, 205.
- ²⁹ Parliamentary History, vi. 369-371.
- ³⁰ Parliamentary History, vi. 369-374 ; Jerviswood Correspondence, i. 14-18 ; Boyes, iii. 165, 166.
- ³¹ Lockhart Papers, i. 107-109.
- ³² Jerviswood Correspondence, pp. 64, 65.
- ³³ Jerviswood Correspondence, p. 70.
- ³⁴ State Trials, xiv. ; Hill Burton's Scottish Criminal Trials ; Historical Mysteries, pp. 193-213 (A. Lang).
- ³⁵ See Letters of Argyll in 'The Edinburgh Review,' October 1892.
- ³⁶ Lockhart Papers, i. 116.
- ³⁷ Lockhart Papers, i. 118, 119.
- ³⁸ Lockhart Papers, i. 120-122.

CHAPTER V.

THE UNION.

1705-1707.

"THE fort that parleys and the woman who listens—surrender." In the matter of the Union Scotland had listened and had parleyed; her surrender of distinct and independent sovereignty was certain to follow. The weightier part of the nation knew, in the deeps of their hearts, that this must be so. They knew that the independent sovereignty had been the cause of poverty and of the expatriation of the flower of the youth to fight under foreign flags. Worse, the appearance of independence had either been the germ of civil war, and was likely to be so again, or had degenerated into a farce, the Scottish Ministers being puppets moved by the English Court. Charles I., trying to tyrannise over Scotland by the strength of England, had caused the Bishops' Wars. More recently Scotland had really been governed, through the royal commissioners and with backstairs methods, by the English administration. There was actually more real independence and much less corruption in the country when it came to be represented in the open air and light of the Parliament of Great Britain, than when fighting against English Court influence, with an Opposition made up of hostile groups, in the Parliament House of Edinburgh. A Parliament of Great Britain, an incorporating union, was, if not wholly satisfactory to the smaller country, still an intelligible conception. All the plans of federation and of a local Parliament were ingenious "whimsies," the hobbies of this, that, and the other amateur of constitution-making. Moreover, England was determined to have an "incorporating union," or none at all. Every person of sense in Scotland knew this, and knew that the alter-

native to complete union was civil war. Even the Cavaliers were aware that in such a war they could not depend on the aid of France; while, even if they could, the Presbyterians would be driven to make any concessions to England rather than receive the Chevalier de St George with his wicked and idolatrous Mass.

Thus, as De Foe remarks, everything worked together to produce the Union, and the many grounds of objection to it cancelled each other. "The Union grew up between all the extremes as a consequence, *and it was merely formed by the nature of things rather than by the designs of the parties.*"¹ The Union was a natural flower of evolution. Many of the objections to it—patriotic, historical, sentimental, and even economic—were far from being idle fancies; but the Union, as the least of all possible evils, was, in process of time, to become the greatest of all possible goods in this imperfect world. The Commissioners, thirty-one of either country, were, almost all of them, men who understood this. They met to do the business by interchange of written documents, and not to debate and jangle. Parliament might be trusted to do that part of the discussion afterwards.

Anne entrusted the nomination of the Commissioners for the treaty to her Ministers,—mainly to Godolphin for England, to Queensberry and Argyll for Scotland.² Neither Hamilton nor Argyll appeared for Scotland,—Hamilton being distrusted, while Argyll appears to have been offended by the omission of Hamilton. The names of the Commissioners show the reasons for which they were chosen distinctly enough. They were the Duke of Queensberry, Earls Seafield, Mar, Loudoun, Sutherland, Wemyss, Morton, Leven, Stair, Rosebery, Glasgow, Lord Archibald Campbell (brother of Argyll, and later Earl of Islay), Duplin, Ross, Sir Hugh Dalrymple, Cockburn of Ormiston, Dundas of Arniston, Stewart of Tillicultrie, Francis Montgomery, Sir David Dalrymple, Ogilvie of Forglen, Sir Patrick Johnstone (Provost of Edinburgh), Montgomery (late Provost of Glasgow), Smollett of Bonhill (an ancestor of the author of 'Peregrine Pickle'), Morrison of Prestongrange, Grant of Grant, the younger; Stewart (a Galloway Stewart), Campbell of Ardentinnie, Lockhart of Carnwath, and Clerk, younger, of Penicuik, a financial expert. Among the Commissioners are scarce any Highlanders, for we can hardly reckon the two Campbells in the truly Celtic fraction of the nation which took no part in parliamentary politics. Argyll and the Chief of Grant,

however, had large Highland followings. Lockhart was the only professed Cavalier. He was requested by his party to accept the office, but to say nothing. He watched the case for the Jacobites, and incurred some ill-will for his purely passive attitude among Cavaliers who did not understand his position. Roxburgh, Jerviswood, and Rothes, the leaders of the New Party, were omitted, with Fletcher of Saltoun, the eloquent and unpractical. No flowers of rhetoric were desired.

Behind the public scenes the Earl of Marchmont, the Polwarth of Argyll's ill-fated expedition, had been bustling like a Nestor, giving advice to Anne, to Somers, to Wharton, to Argyll, on the choice of Commissioners. He desired the choice of none who had Jacobite tendencies, for the Hanoverian succession, in Scotland as well as in England, was a necessary corollary of the Union.³ Marchmont had good reasons, apart from the security of the Presbyterian faith, to desire an end of the international troubles. His pension as Chancellor had not been paid for three years, "which makes me very uneasy in this time when so little can be made of our estates in the country." In truth, Scotland was being starved into agreement with her rich neighbour: even regimental officers were ruined by the long arrears of pay. In January 1706 the leading politicians of Scotland learned, from various broad hints, that only an incorporating union would satisfy the English Ministers. Carstares was not forgotten, and to him, in Scotland, Portland wrote to this effect. A partial union, with full commercial privileges,—the ideal of Scots of all parties,—was impossible: to haggle for this would destroy the conciliatory temper of the English.⁴

Mar, the ruinous Earl of "the Fifteen" (1715), from Whitehall (March 9, 1706), wrote to Carstares in similar terms, and through Carstares the Scottish leaders would learn the English intentions. "They will give us no terms that are considerable for going into their succession—if any—without going into an entire union." They "think all the notions about federal unions and forms a mere jest and chimera." This news was not to be made generally known in Scotland, lest the people should "despair of the treaty," and the secrets of the negotiations were well kept. "*What we are to treat of is not in our choice*," wrote Mar. To Cavaliers and patriots like Fletcher of Saltoun this phrase must have meant that *Scotia invicta*, which had resisted Romans, Danes, Normans, and English, as patriots boasted, was now diplomatically conquered without draw-

ing a sword or firing a shot. Indeed, when the Treaty of Union came before Parliament, and before a people singularly proud of its own history, this was the general opinion. Mar was writing after February 27, 1706, when the queen announced the choice of Commissioners.⁵ Even Carstares appears to have demurred to the English ideas, which Portland briefly restated, apparently in answer to his objections.⁶

Stair, on April 26, reported a meeting held by the Scottish Commissioners. They were determined to retain Presbytery, their judicature, and their laws, by express articles in the Treaty, lest they should afterwards be altered by the Parliament of Great Britain, in which the Scottish members would be outvoted. On the other hand, "an eminent person of the English Commission" was very earnest with Stair that nothing should be said about Scottish Church government,—a thing already secured,—as open mention would give the Tories a chance for their useful cry, "The Church in Danger." It was, indeed, a humorous anomaly that, in one nation, Great Britain, Presbytery should be allowed to persecute north of Tweed, and be barely tolerated south of that river. The religious question, however, tried to force itself on attention.

After the two sets of Commissioners had met, and done much useful business, Leven wrote to Carstares about the complaints of Atholl and other "people of quality" anent "the severities of the presbyteries in several shires against the episcopal clergy." Loudoun was to write to the Lord Advocate "that matters may be managed with moderation *at this time* . . ." (June 11).⁷ The English Tories had some reason for their dreaded outcry. Meanwhile, from a letter of Leven (April 27), Carstares must have understood that the Scottish Commissioners had abandoned all hope of any but an incorporating union. They were not going to struggle on that point.

The two sets of Commissioners, on April 16, met in different apartments of the "Cockpit" in Westminster: in another room they held joint meetings for the exchange of papers containing their proposals and replies. The Archbishops of Canterbury and York were on the English Commission, but he of York, a high churchman, adopted the attitude of Lockhart. He did not approve of the curious anomaly of Presbyterians as persecutors in the northern part of the new nation of Great Britain. The Duke

of Somerset, a descendant, as Mr Mackinnon observes, of the Somerset who won Pinkie fight, and was concerned in a proffered scheme of union a century and a half ago, gave historic interest to the assembly; while Cowper, Somers, Godolphin, Harley, and many others, represented modern politics. The Scots gave in, as they had made up their minds to do, on the central question of an incorporating union, before the news of Marlborough's victory at Ramilies (May 23) impressed them with a sense of the weakness of their only possible ally, France, in case they offered resistance. A slight demur was offered by the Scots on April 22; on April 25 the English answered, courteously but firmly, that that incorporation was "a necessary consequence for *an entire Union*."⁸ "Now let God and the world judge," cries Lockhart, "if the making of this proposal in such a manner was not a bare-faced indignity and affront to the Scots nation and Parliament." The Scots "resiled pitifully and meanly" from their suggestion of federation, but asked, and obtained, national reciprocity in trade.⁹ At home, when all came out, the Scots "treaters" were styled "traitors," and were the occasion of much eloquence and of many broken windows, the simple rhetoric of the mob.

The Scots had now to make the best terms they could for their country in matters of detail. Scots, as citizens of a new nation, Great Britain, would be taxed as British subjects,—having equal trading rights, they must pay equal taxes and duties; though, on the one hand, they had no responsibility for incurring English national debt, nor, on the other, had they capital and "plant" for enjoying, in the same degree as their southern fellow-subjects, their new commercial opportunities. No subject could well be more intricate than the adjustment of equal incidence of taxation in these circumstances, which were further complicated by the differences in methods of collecting taxes, the difference in the mode of life, and the differences in weights and measures. A committee was therefore appointed to consider the revenue and debt of either country, and to report. Scotland owed no stiver of English debt, yet her contributions would go in great part to the payment of that debt. It was proposed that, to rectify this, England should hand over to Scotland a pecuniary Equivalent. It was also thought proper that the land tax of Scotland should not rise, proportionately, above the English maximum of a nominal four shillings in the pound,—nominal, because that tax included the ex-

penses of collection in England. The whole sum should not exceed £48,000 yearly.

On May 10 the English Commissioners admitted the principle of the Equivalent. De Foe says that this was the most anxious day, and that men most eager for the success of the Treaty "apprehended something here too difficult to be mastered, and that would render all the rest abortive."¹⁰ The difficulties, indeed, are conspicuously complex. Clerk of Penicuik, a young man with a genius for commercial calculations, writes that he "gave the greatest application possible to understand" the comparative financial conditions of England and of Scotland, where he had for some time been a Commissioner of the Public Accompts.¹¹ He was a member of the small Joint-Committee which was aided, as regards the Equivalent, by Professor Gregory, who had deserted Edinburgh in 1691 for Oxford, and by William Paterson of the Darien enterprise,—“bred in England from his infancy,” says Clerk, whether correctly or not. Clerk went with Queensberry to see Queen Anne, whom he found in an agony of gout, her face red and spotted, her dress squalid, her foot in “nasty bandages,” while she kept speaking of “my people of Scotland.” The poor queen visited the Commissioners several times, and listened to the puzzling minutes of their proceedings.

The English revenues from customs and excises amounted roughly to £2,300,000; those of Scotland to £65,000, but that revenue was unburdened by debt. The two peoples might pay their debts and unite their resources, or, “putting the general accounts of debts and stock together, the English might make good the inequalities to the Scots some other way”—namely, by the Equivalent: thus De Foe states the case. The English, on May 10, insisting on equality of taxation, agreed to “an Equivalent for what Scotland shall be taxed towards payment of the debts of England in all particulars.”¹² The Scots in return yielded as regarded equality of excise “on ale, beer, rum, cyder, sweets, low wines, aqua vitæ, and spirits,” as well as on goods exported to England and the Colonies. But in regard to all other burdens and excises, they asked that Scotland might have a breathing-space, and the English promised to grant this or pay a heavier Equivalent. So the stamped paper, windows, lights, coal, malt, and salt of Scotland were granted a respite; the Scottish poor, says De Foe, lived mainly on salted meats, and the difference in price of salt made adjustment pecu-

arly difficult. The English imposts, many of them, were war taxes, and were about to expire.

The Scots (May 17) announced that the "difference" between them and the English "is brought to a very narrow compass," but still pleaded for a period of general exemption from all burdens except those already specified. The English (May 18) declined to make further concessions: the Scots had to be content with a few slight changes, and their land tax was fixed at a maximum of £48,000, to decline in proportion to the English land tax, then a war tax. The Scottish proportion is small, but land rents in Scotland were, to a great extent, paid in chickens and manure, or otherwise in kind and services,—"mail-duties, kain, arriage, carriage, lock, gowpen, and knaveship," as Scott says in the case of Davie Deans. The glorious successes of the English arms on the Continent had caused all things taxable to be taxed, such as "hawkers and pedlars, hackney coachmen, births, deaths" (or at least burials), "and marriages, glass windows, stamped paper, and the like," as De Foe ends his promiscuous catalogue. An English citizen could not even expire without burdening his estate, unless he drowned himself in deep water with a cannon ball fastened to his feet. De Foe remarks that this kind of taxation "had none of the material to work on in Scotland"—there were few glass windows, and almost no hackney coaches,—“while others,” like fines on birth, death, and marriage, “could not rationally be expected from them.”¹³ Indeed, it is obvious that taxes of these kinds would not have increased the popularity of the Union in Scotland. When these concessions had been made “the Union appeared hopeful,” and the small Joint-Committee laboured at the complicated calculation for the Equivalent prepared by the Savilian Professor of Astronomy, Dr Gregory.

On May 29 the Scots introduced the matter of judicature and laws, which were to remain unaltered, “but alterable by the Parliament of Great Britain.” The laws regulating private rights included heritable jurisdictions, and these were not abolished till after the expedition of Prince Charles in 1745. The feudal superiorities of the chiefs were, of course, the main strength of Jacobitism. The English Courts were to have no right to review or alter the decisions of the Scots Courts, or to stay their execution. Had the Parliament of Great Britain not been allowed, in the future, to modify Scottish law in any respect, Scotland would have had no legislature at all,

the friends of Union argued ; to which the natural reply was that, in fact, it had none, and that this circumstance was the ground of quarrel with the Union. To the British Parliament—that is, to the English majority—it was left to decide on “the evident utility” to Scottish subjects of future alterations on the laws. It is easy to see that the propriety of these arrangements could only be tested by time and experience, and easy to understand the natural objections urged by patriotic Scots. They still regarded themselves as separate and distinct from Englishmen ; they did not project their imaginations into a thoroughly united new nation, and their failure to do so was only human. It was usual to tell the Scots that the Parliament of Great Britain would legislate in the interests of Great Britain, not of England. But no Scot could feel quite confident of that while English members were in a vast majority over Scottish members.

On June 7 the English proposed that the Scottish members of the British House of Commons should number thirty-eight. The Scots (June 11) found this so unsatisfactory that they proposed a conference, which was held on June 12.¹⁴ Reckoning English and Scots proportions of pecuniary contributions, Scotland would have but thirteen members ; reckoning by population, about one hundred and seventy. Scotland finally received forty-five members, with sixteen representative peers, elected by their own Estate.¹⁵ Appeals from decisions of the Court of Session had hitherto been referred to the Scottish Parliament : as that Parliament was no longer to exist, they were now to come before the House of Lords of Great Britain (that is, of course, the legal members, Scots and English, of the House), who thus adjudicate even in Scottish ecclesiastical cases. In the way of ceremonial badges, the flag of Britain was to bear the Cross of St George with the saltire of St Andrew. This combination, it is curious to note, occurs on the shield of a warrior represented on a Greek vase of the seventh century B.C. On heraldic bearings employed for Scottish national purposes the Lion, with double tressure, flowered and counter-flowered, was to be on the dexter side.¹⁶

The Darien affair came up, introduced by Mar on June 21. The Scots proposed that the rights of the East India Company of 1695 should remain in being, or be bought up from the holders of stock. The latter alternative was adopted. The Scots Company could not be allowed to join in the amalgamation of the two

English Companies (1708), for the Scots Company had no assets, and was deep in debt. Holders of stock were therefore to be bought out, with interest at five per cent, up to May 1, 1707. For the whole Equivalent to be paid by England the English Commissioners proposed £398,085, 10s. Part was to pay the Scottish public debt, part to buy out Darien Stock holders, the remainder was to improve fisheries and manufactures.

On July 23 the Commissioners, having reduced the Treaty to twenty-five Articles, presented a copy to Queen Anne: three copies were made for the English Lords, and Commons, and the Scottish Estates.

All had gone as smoothly as could be expected, but the Scots Parliament met on October 3, and then revived the din of battle, already loud in many pamphlets. Queensberry was Commissioner, with Mar as Secretary, and behaved with tact and good temper. It is plain that he was well served by spies, and used his information with extraordinary tact, gentleness, and firmness. Montrose—degenerate Marquis!—and Roxburgh joined the Unionists, but the preachers “roared against the wicked Union from their pulpits,” says Lockhart, who did not like the ministers any better than he liked the Union. Their zeal cooled presently, when Parliament passed an Act for the Security of the Kirk.

De Foe had come down to Scotland as Harley's spy, and as pamphleteer for the Union, and describes the four party groups which opposed it. First came the Jacobites, who, in 1705, to which date we must return, had been approached by Louis XIV., through Colonel Hooke, an ex-partisan of Monmouth, but had distinguished themselves by their caution. To his “cousins,” Hamilton and Gordon, and to Errol, Marischal, Montrose, Home, and Drummond, James wrote letters; while his mother, Queen Mary, also kept her eye on the Bishop of Edinburgh, Struan, Lochiel, Clanranald, and Gideon Murray of Elibank, as it appears. The nobles replied with courteous generalities, Hamilton thanking the king for the pity which he bestowed on the sad state of this nation, “which suffers from the *attentats* of the English.” (August 22, 1705.)¹⁷ Hamilton added that the loyal party was much divided. The Bishop of Edinburgh asked for the landing of large forces both in England and Scotland, which was the last thing that Louis had in his mind.¹⁸ The Bishop also wanted the Chevalier de St George to impose heavy disabilities on Catholics,

if he were restored. There was no comfort in the Bishop! In fact, nobody was enthusiastic except the Duchesses and the Countesses, and an old Lady Largo, a friend of the Duke of Hamilton. Errol had warned Hooke, on his arrival (August 1705), that Hamilton was not to be trusted, and had an eye on the throne for himself. "His partisans do not follow him—he follows his partisans." Marischal seemed to Hooke to be the best man of the Jacobite party: he would be a great man if he would drink less wine.

At last, when Hamilton met Hooke, in the dark,—they had been acquainted in 1689,—the Duke explained that he wished to be able to swear and save his oath that he had not *seen* Hooke. He was loyal to young James, but the party was rent by divisions, and nothing was ripe for action. Queensberry had led away fifteen of his adherents, and was buying the votes of poor North-country members. "We don't want to fight," said the Duke, "merely to oblige France by making a diversion." In short, the Duke wished to let things linger on till the death of Queen Anne, and then appear as a candidate for that airy crown which his House had chased for a hundred and fifty years. Presently the day began to filter through the shutters of the room where this odd interview was held: Hooke retired to Lady Largo's house, and on a later visit to the Duke in Holyrood found no more satisfaction. The Jacobites thought that they could raise 12,000 foot and 5000 horse in the Lowlands, with 8000 of the clans.¹⁹ Lockhart deemed Hooke a man of mettle but rash, and with justice held that he was rather anxious to procure a diversion for France than to restore King James. The Jacobites sent a Captain Straton, for long an active agent, who was well known to Government, to France,—their enterprise went no further.²⁰ Indeed Queensberry's knowledge, and the use to which he could put it if he chose, muzzled Hamilton throughout.

Such was the position, and such were the prospects, of the Jacobite party, when the Treaty of Union came before Parliament. After describing the Jacobites, De Foe sketches the Episcopalians, not necessarily Jacobites, who foresaw that the Union would fix the presbyterial yoke on their necks for ever, and debar their English co-religionists from aiding them in their efforts for its removal. In religion there would be no Union,—there would still be the two nations, the godly and the prelatie; and now the

prelatists, south of Tweed, would be bound to "oppose and suppress" their brethren north of Tweed. As a matter of fact, a measure of toleration for the worshippers at the *altare Damascenum* was not long afterwards introduced.

Thirdly, quite at the opposite pole, were Presbyterians who deemed the Union with a prelatic nation to be a left-hand falling off and a Cause of Wrath. The "Society men," Cameronians and followers of other popular preachers, were of this party, with which the Jacobites tried, as we shall see, to enter into an incongruous alliance.

Finally, there was the party of patriots, full of historical sentiment and rich in federatists and constitution-makers, very ready with tongue and pen. With them, in resistance to the Union, was the multitude which, in Scotland, has always had a keen love of old national glories and of old national sorrows. "It wad be lang before it makes up for Flodden," said the Border quack mentioned by Sir Walter Scott, when told that his favourite prescriptions, "laudamy and calamy," might imperil the lives of his English patients. The crowd were of the blacksmith's mind. The leaders of this Country party were much divided by party and personal piques and ambitions.

The Royal Message strongly recommended the Union, as what the majority of both nations had long desired. Queensberry, as Commissioner, and Seafeld, spoke in the same strain. Order was given for the printing of the Articles of Union. At once the war of cries and pamphlets began afresh. The commons foresaw increase of taxation, loss of custom and of credit, the Parliament deserting the country, and the very Honours of Scotland—the Regalia—being removed, as they feared, to England. The trading classes deemed that their commerce with France was more profitable than their commerce with England could ever be, though the former brought only wine, brandy, and luxuries, while the latter mainly brought ready money. The poor held that they "would neither have food to eat nor beer to drink."

Their representatives would be out-voted, their liberties would be sold, and the British Parliament, in which Bishops sat in the vestments of Baal and Chemosh, would destroy the Kirk. Episcopacy in Scotland would at least be tolerated,—“a thing most tolerable, and not to be endured.” There was “an universal cry that this was a plain breach of the National Covenant,” says De Foe, but

the cry can hardly have been universal, and the Covenant had long lain in as many fragments as "that twice-battered god of Palestine."

A pamphlet by one Hodges (not a Scottish name) gave two-and-thirty conflicting interests of England and Scotland: many other pamphlets of the same sort were eagerly read, while the busy De Foe replied in a series of essays. He found that "men will be silenced, yet not at all convinced," reason being about the last motive that controls public opinion on the first blush of a new proposal.

There was in Parliament (October 12) great opposition to reading the Articles of Union. Constituents should be consulted, it was argued, before the Constitution was destroyed. The reading was carried, however, by a large majority; and later, by a majority of sixty-four it was decided to consider the Articles. Efforts for the proclamation of a general fast were made,—the Kirk's old resource, as before the meeting of the Parliament of March 1566, which was dissolved on the murder of Riccio. The great majority of sixty-four (or sixty-six) was of good omen, however, to Unionists, and the Commission of the General Assembly, so far, was behaving with moderation; but a reply to their Address to Parliament was postponed, which gave rise to suspicions.

On October 23 a Committee of three members from each of the Estates was appointed to examine, with the aid of skilled mathematicians, the proportions of the Equivalent, but the amateur calculators of the populace were now busy in making disturbances out of doors. "Here is a most confused state of affairs," wrote De Foe from Holyrood to Harley; "it seems to me the Presbyterians are hard at work to restore Episcopacy, and the rabble to bring to pass the Union. We have had two mobs, and expect a third. . . . The first was in the Assembly or Commission of Assembly, where very strange things were talked of and in a strange manner." Nothing fresh was being said by the wilder preachers, a minority,—it was the old story. "The power, *Anglicè* tyranny, of the Church was described to the life, and *jure divino* insisted upon, to the prejudice of civil authority. . . ." "In general they are the wisest weak men, the falsest honest men, and the steadiest unsettled people ever I met with," says De Foe.

The lay mobs in October were "Scots rabble, the worst of its kind." They followed Hamilton's chair with huzzas, and besieged Johnstone, the late Lord Provost, one of the "Treaters,"

in his house. They were broken up by Captain Richardson with the Guard, and a few of them were lodged in the Tolbooth. Later they collected again, put out lights, broke windows, and made De Foe remember the fate of the De Witts. Queensberry bade the Provost send for the Guard "into the city, which they say is what never was admitted before," and Argyll, with the Horse Guards, rode at their head. Military precautions were later adopted, and the efforts by the mob were so futile, after Leven, from the castle, had garrisoned the ports, that the Union had obviously little to fear from "the rascal multitude."²¹ Leven and the rest were congratulated by Harley (Nov. 21, 1706) on "their cool, sedate, determined steadiness." On the day after the riot an attack was made on the Privy Council for bringing the soldiers into the city, but the proceeding was approved of by a majority of fifty-six.*

In the House, obstruction and enforced dilatoriness was the method of the Opposition: the English Parliament should speak first—the constituencies should be consulted. Hostile petitions were presented from the shires of Stirling and Dumbarton, and the towns of Linlithgow, Dunkeld, and Dysart. On November 4, after much speaking and voting, the First Article was read. Seton of Pitmedden, a man of ability, spoke, rehearsing the obvious advantages of the Union, the absence of any prosperous alternative, and the examples of successful unions, as in Scotland itself, when the Pictish and Scottish kingdoms became one with the English lowlands south of Tweed. Then uprose Lord Belhaven, "a rough, fat, black, noisy man, more like a butcher than a lord," says an unfriendly observer; while a friendly hand depicts the peer as "of a healthy constitution and a black complexion and graceful manly presence." Belhaven had been of the Revolution party from the first, but Darien had wakened the Scottish patriot in him, and all the pent-up eloquence of his nature now broke forth. Without replying to Seton, he made a long set speech—a Scots following of the classical model of Demosthenes, as far as he could compass it. This flight of rhetoric was printed, and was famous in its day. He kept remarking, "I think I see many phantasms of the deplorable future, such as the Kirk descending from its rock and fighting on the plain with Jews,

* The difficulty about bringing regular soldiers into the city recurred at the Porteous Riot.

Papists, Socinians, Arminians, and Anabaptists." He beheld "the Macallanmores [and Macallan *is* more accurate than Macallum] receiving less homage and respect than a petty English exciseman." Vassalage would cease,—so far his lordship was a true seer; but the prospect did not intimidate Macallanmore himself, who was a Unionist. The impoverished burghers "walked their desolate streets," in this vision, ruined by English companies. The tradesmen would drink water, not ale, and their porridge would not be salted with salt. The thoughtful ploughman would dread the expense of burial, and be doubtful as to whether he should marry "or do worse." Caledonia sat forlorn among them, wrapped in her plaid, attending the dirk, and murmuring with her latest breath, *et tu quoque, mi fili!* These things must not be; some Joseph or Judah must arrive, some ram must be caught in some thicket, some political "patricide" must be tied up in a sack (called a *culeus*), with a cock, a viper, an ape, and thrown out to sea. Belhaven spoke of Hannibal, of cockatrice's eggs, of *spolia opima*, and of Nebuchadnezzar. Overcome with emotion, he went down on his knees and appealed to Queensberry to reconcile all divisions. Queensberry, no doubt also overcome or dreading the sack, cock, viper, and monkey, was silent; and Belhaven was on his legs again, moving that the Fourth Article of the Treaty be read, for to accept the first was to surrender everything.²² Marchmont replied with a gibe.

Meanwhile, petitions against the Union flew as thick as the stones thrown by the boys at Queensberry's carriage. "The Kirk are *au wood*," wrote De Foe (meaning *a' wud*, all mad); but the First Article was voted on King William's birthday, by a majority of thirty votes, the Peers being in a large proportion for the affirmative; while Atholl headed a list of some sixty protesters, including Hamilton, Errol, Marischal, Annandale, and several other earls, with Lockhart, Balmerino, Fletcher of Saltoun, Beaton of Balfour, Graham of Fintry, Ogilvy of Boyne, and other Cavaliers.

"A broil among the ministers" was the next hope of the anti-Unionists, and on November 8 a petition from the Commissioners of the General Assembly was read. The Commissioners objected to the Anglican Sacramental Test administered to Scots in places of trust, and generally to oaths contrary to Presbyterian principles. The Coronation Oath should bind the occupant of the throne to maintain the Church of Scotland. There should be a judicatory

“for redressing grievances such as the growth of popery.” After the Union, Scotland would be subject to a Parliament containing twenty-six bishops, “contrary to our known principles and covenants.” Remedies were requested for these grievances.²³ “I must own this does some harm,” wrote De Foe to Harley, but the country had expected from the Kirk a general protest against the Union like those sent in by many of the burghs. Several of the laity on the Assembly Commission, including Marchmont, dissented from it. An Act of Security for the Kirk was passed, the English Sacramental Test was not interfered with, but the danger from new oaths was averted, the maintenance of the Kirk was inserted in the Coronation Oath, and a court for the plantation of kirks was established in a separate Act. Lockhart observes that the preachers were at first very much opposed to the Union, but the lay members—“none of the Cavaliers ever desiring such an employment”—kept them in order. “The brethren for the most part were guilty of sinful silence.”²⁴ The canniness of Carstares had much weight in their Councils. This new charter of the Kirk made her establishment a fundamental and unalterable part of the Union. But everything is subject to change, and the Dissenters now poll a heavy vote. The Presbyterians were not satisfied with what they got,—“the threatenings of the Church party are very high and plain,” writes De Foe to Harley (November 16).

The Articles concerning trade were then approached, and various modifications were made as to malt, while the cry of “robbing a poor man of his beer” was raised. De Foe wrote to Harley that he induced the Committee to put amendments about peas, oats, beer, and so forth, into an Act explanatory of the Articles.²⁵ He and Paterson were constantly consulted, and found that great economic ignorance prevailed, especially as to the consumption of salt, which was much exaggerated.

He had spies everywhere, and was all things to all men. “With the Glasgow mutineers I am to be a fish-merchant, with the Aberdeen men a woollen-, with the Perth and Western men a linen-manufacturer.” He posed as a glass-maker, a salt-maker, and, most improbable of all, as a gentleman of property.

From the second week in November onwards the country was in a condition of real danger. While little was visible on the surface except wild but vague popular tumults, especially at Glasgow, the Jacobites had arranged that Highlanders should slip in small

numbers into Edinburgh, while they at least persuaded themselves that 8000 armed western Whigs, whom they call "Cameronians," would join the Highlanders, and, as they said, "raise the Parliament" and break off the Union. This state of affairs is with difficulty to be understood, for the evidence has been mainly the testimony of Lockhart, from which dates are absent, and the 'Memoirs of John Ker of Kersland,' published in 1726. Lockhart knew all that was known to the Jacobite organisers, while Kersland represents himself as the adviser of the Cameronians and the agent of Queensberry. He was not, indeed, a member of any of the secret societies of the Remnant, but, as a Crawford who had married the Kersland heiress, he represented both that Presbyterian family and his brother, who had led the Cameronians to join Argyll in 1685 and had been stopped by the prophet Peden, who, in his clairvoyant way, saw Argyll already a prisoner. By his own showing, Ker was an amusingly unscrupulous professional spy, and his evidence must be taken with all caution. Historians have so far accepted it as to call him "the Cameronian leader." Mr Hill Burton, Mr Mackinnon, and Mr Mathieson, all use this phrase; and the famous Patrick Walker, a contemporary, and himself a sufferer during the Restoration, adopted Ker's statement of his proceedings.²⁶

Having read Kersland's Memoirs, in 1897 the present writer deemed it desirable to consult, for disproof or corroboration, the manuscript Minutes of the Cameronian Societies in the library of the then Free Church of Scotland's New College in Edinburgh.* Access to these documents was refused, and, in a magazine article ('Blackwood's Magazine,' December 1897), the writer, while mentioning that access to documentary evidence was denied to him, told Kersland's story, remarking that he was confessedly "a complicated liar," and, according to Lockhart, had been guilty of forgery. Following Lockhart, the Cameronians were represented as temporarily Jacobites,—almost certainly an error. Persons of similar sentiments were, in 1706, entangled with the Jacobites in a joint effort to disperse Parliament, if we may credit better witnesses than Kersland. Kersland thus appeared as "the Cameronian Leader," just as he does in the works of the historians already cited. The writer was then denounced

* The majority of the then Free Church is now "the United Free Church"; the small minority is "the Free Church."

for his "recklessness of statement and disregard of historical accuracy."

His censor, an eminent student who was permitted to peruse the guarded documents, was able to state that the Minutes of the Cameronian Societies contained no reference to Kersland or his alleged proceedings. Moreover, though the historians already cited ignore the fact, a flat denial of Ker's knowledge of the Cameronian "secrets" and "purposes" was given in a Cameronian book of 1731. Finally, a certain Cameronian declaration of 1707 was in contradiction with Kersland's account of the matter.²⁷

As to these contributions to accurate knowledge, it is (1) impossible for persons who have not been allowed to read the Minutes to know how far they contain a full and candid statement of all the proceedings, some of them, perhaps, of perilous consequence, in which the Societies were concerned. Next, (2) the book of 1731, in which it is averred that Kersland was "never unite" with the "Dissenters" (such is the phrase), "never convened them at Sanquhar or anywhere else," "was an entire stranger unto their secrets and a perfect foreigner unto their purposes," and so forth, is not official but anonymous; and the writer speaks of himself simply as "the Author," a private Christian, not as a Cameronian Committee, appointed on August 7, 1727, "to consider Carnwath's and Kersland's Memoirs, together with Patrick Walker's scandalous pamphlet, and to give a short answer thereto, in order to wipe off their false aspersions." The aspersions (3) of Lockhart of Carnwath are not wiped off, nor so much as mentioned, after four years since the appointment of the Committee. The aspersions of Kersland and the scandalous Patrick Walker are not wiped off by the Committee of 1727 already cited, but are refuted in the matter of a Dissenting Declaration of October 1707, by the satisfactory process of citing that document. Here the anonymous writer certainly triumphs, whoever he may have been.²⁸

It will appear, from evidence presently to be cited, that large numbers of the godly in the West, whether, technically speaking, "Cameronians" or not, were led into promises of alliance with the Highlanders in the early winter of 1706, and were prepared to join in "raising the Parliament," while Kersland exercised an important and salutary influence in preventing this act, and there-

fore in preventing a probable civil war. The evidence of Lockhart to the designs of "a vast number of people in the West, and chiefly the Cameronians," was derived from Cunningham of Eckatt (the place name is variously spelled), a man of strict Presbyterian principles. He had been an officer in a regiment quartered in the disturbed Highlands, had been a leader of the Darien expedition; but his regiment was disbanded after the Peace of Ryswick, and in 1705 he was still soliciting Parliament for £270 of arrears. He was promised payment "when the money came in."²⁹

The Western malcontents, according to Lockhart, who relies on Cunningham, "divided themselves into regiments, chose their officers, provided themselves with horses and arms, mentioned the restoration of the king as the most feasible means to save their country," and were willing to join the Northern Jacobites "for the defence of their common native country." They sent emissaries "to try the pulses of those members of Parliament who were against the Union," and the naturally discontented Cunningham of Eckatt, "being altogether of the Presbyterian principles," "was soon known to these Western negotiators and entirely trusted by them." Cunningham revealed this to Brisbane of Bishopston, saying that he found the negotiators "of opinion that there was no way to save the nation but by first raising the Parliament and then declaring for King James." The latter clause might be a ruse of the negotiators, or of Cunningham, to bring in the Jacobites for the sole purpose of dispersing the Parliament. Brisbane communicated all to Lockhart, and his friends apprised Atholl and Hamilton. Atholl promised that his clansmen would secure the Pass of Stirling; Hamilton "seemed to approve," but "was shy." Lockhart and Cochrane of Kilmaronock gave Cunningham fifty pounds, and promised support for his family, if he fell, and Cunningham set out for the West.³⁰ No dates are given, but his journey was apparently in late November or early December. We shall later give irrefragable proof that Cunningham did "plot with these people," the Western fanatics, "to raise a rebellion."

We now turn to De Foe's letters from Edinburgh to Harley. On October 29, after referring to the Edinburgh mobs which attacked Sir Patrick Johnstone and cheered Hamilton, he expresses pain at an anti-Unionist sermon, preached in St Giles' by a country parson, before the Commissioners. "They are now a-

going to hold a fast against the Union all over the Kingdom, and give the ministers an occasion to preach and pray against it." But the official address of the Kirk "supposes the Union as real and certain" (November 9), for the Kirk officially was, if not enthusiastic for the Union, the reverse of incendiary in opposition to it. Hamilton (November 12) was closeted for four hours with Queensberry, who, it becomes plain, knew things against Hamilton which gave him a secure hold over that dark and timid plotter. On November 13 De Foe writes that there are more Highlanders in the town than have ever been known. "Indeed they are formidable fellows, . . ." each man "armed with a broadsword, target, pistol or perhaps two, at his girdle a dagger." People were uneasy, and the clansmen kept steadily dropping in, crossing Forth by Queensferry and Leith, as the days went on.

"At Dumfries they have burned the Articles of Union at the market-place." As De Foe writes thus on "November 13," he must use Old Style, for the burning of the Articles of Union is always dated on November 20. Now this affair of Dumfries, and of the Declaration issued by the burners, is described by Kersland in his Memoirs, and we shall prove that Kersland was, in De Foe's opinion, an agent of his own. According to Kersland, Queensberry sent Sir David Dalrymple to bring that rogue to his presence. When he came, Queensberry told him that he knew that the Highlanders and "Cameronians" were about to unite to disperse the Parliament. The Cameronians were to meet near Sanquhar, on the Nith. The results of the plot would be the opportunity of France and the Jacobites. Would Kersland use his family influence with the "Cameronians" to spoil the plan? Kersland was prevailed on to do what he could, but stipulated for a permission, under the Privy Seal, to "enter into their measures" in appearance. He was promised such a permission (he got it in the following year), left Edinburgh, and met the "Cameronians" at Killochside, near Sanquhar. He made a humble but sympathetic speech, and they burned the Articles of Union at Dumfries, and issued a Declaration entirely devoid of Cameronian phraseology, and owning "Her Majesty," Queen Anne, whom the Cameronians had publicly disowned on May 21, 1703, as uncovenanted, and "not accepting of the qualifications of a covenanted subject."³¹ The terms of the paper of Dumfries show that it was not the work of the strict Cameronians.³²

The proclamation and burning were done in the best manner, "by a considerable party of horse and foot under arms, with sound of trumpet and beat of drum." Lockhart speaks of them as numbering some two thousand. Kersland sent a message to Queensberry, explaining that the proceedings were "to keep up to the decorum that was expected," and that, in the interests of decorum, it might be necessary to burn the houses of a few Unionists. These performances Kersland winked at, as safety-valves: the point was to keep the "Cameronians" from marching on Edinburgh, where many Highlanders were already waiting for them.

De Foe now reported (November 13) that the troops of Government were few and disaffected, and that their officers owned that they dare not answer for the men. Some 1500 soldiers, good or bad, were all that Queensberry had at call, and De Foe suggested the perilous expedient of massing English forces on the Border. An invasion by them would have united Scotland in arms, we may presume. On November 16 he sends a "Cameronian" address from the Rev. Mr Hepburn, mad in zeal. "They exercise their men, and appear with arms and drums in Glasgow." A preacher tells him that, but for the heavy rains, 15,000 men would have come to Edinburgh. Stair (November 26) wishes he could hear of English troops in the north of England and Ireland: "I long to hear of the troops." On November 30 De Foe writes, "the war is begun"; the Galloway and Hamilton men are to meet three hundred from Glasgow. The Glasgow handful were but rabble, led by a common fellow, Finlay, a Jacobite, who was imprisoned. In this letter De Foe says: "I had heard of the West country men's resolutions, and purposed to have gone among them myself," but "Mr Pierce, *whom you know of*, offering himself, I sent him with my servant and horses, with some heads of reasons if possible to open their eyes. He is very well known among them, and very acceptable to their ministers who are the firebrands, and I hope may be serviceable to cool the fury. . . . He will deserve a pardon for what has passed, if he performs this service, whether he has success or not." Parliament, in view of the armed gatherings, now suspended the clause in the Act of Security legalising such assemblies of fencible men. This "Pierce" is either Kersland, of whom Harley would hear through Queensberry, or he is—Cunningham

of Eckatt, the agent of Lockhart and Atholl. We shall show that "Pierce" is Kersland, not Cunningham.

Before December 24 De Foe had a long report from Pierce. He had been through the West country, including Galloway and Dumfriesshire; had spent three days with the preacher, Mr Hepburn, and with his disciples, and had opened his eyes in several things. "It is public here that Pierce is in Galloway, and it is the only place from which real danger is apprehended." "He has done such service as no man in Scotland could have done," "has succeeded beyond expectation." By December 27 Pierce had returned to Edinburgh, and gave an account of his mission, which could in part be checked by the evidence of De Foe's servant, who rode with Pierce. "'Tis a most unaccountable thing how the Jacobite subtlety" (of Cunningham, obviously) "had imposed upon the ignorant people there, and brought them to be ready to join with almost anybody to raise a disturbance. Hepburn, the minister, though mad man enough, declares against tumult and arms, and Pierce says there is no fear there: the worst people are about Hamilton and that side of the country, and principally because they have the worst engines about them, and are daily deluded by the party of that fancy"—the Jacobites. Now Hamilton is near Lockhart of Carnwath's country, where "the worst engines" were worked by him, while the Duke of Hamilton was potent, as long as he was Presbyterian, in the district. Hepburn, on the other hand, though "deposed from the office of the holy ministry," was sticking to his parish "and bearing testimony against the defections of the Church," in remote Galloway.³³ In 1712, at least, this holy man was ready to own Queen Anne's authority, as in the declaration of November 20, 1706.³⁴

Here, then, we find that Pierce has pacified Hepburn and his followers. Now, when Cunningham of Eckatt went to the West after arranging a Western rising to join in a Highland rising, "the first discovery he made was that the Court, fearing a storm from hence, had gained over Mr Hepburn, a mountain Cameronian minister, and the darling of the people, to their side, and he served them as a spy, and though he roared as much as any against the Union, did nevertheless oppose all their measures of appearing openly against it."³⁵ Thus Cunningham found that De Foe's Pierce had cut the "Hebronite" party away from him, and he betook himself, or so he said, to another firebrand, the Rev. Mr

Macmillan, whose curious career will be traced later. Cunningham now had much success in securing recruits, and Lockhart supposed that he had detached the people from Hepburn. He then went to Edinburgh to report progress.

Now this visit of a Jacobite agent or agents to the "Cameronians" whom he had cooled down is reported briefly by Kersland. He thought his people satisfied with burning the Articles of Union (November 20), and with the pleasant idea of burning the houses of a few Unionists. "But upon their former Agreements and Resolutions, *those that were upon the Head of the Jacobites returned,*"—that is, *teste* Lockhart, Cunningham returned,—“and endeavoured to persuade us to march to Edinburgh, with full assurance that the Highlanders would meet us there. . . .” Kersland, therefore, “canted to the Cameronians,” pointing out that the Jacobites “had all along been our avowed enemies,” and had given no proof of zeal. The “Cameronians” had burned the Articles of Union—the Jacobites “had not answered our signal.” Kersland then returned to Edinburgh, where De Foe, who calls him “Pierce,” thought, truly, that he had done very good service. By January 6 he could report that the Angus men, &c., are dropped away as silently as they came. Lord Leven, and the leading Unionists, “are sensible that Pierce has done service there, nor is there a man in town dare go there but him.” Pierce was therefore to return to his pacificatory mission. (December 27.) “The consternation here increases.”

That Pierce is Kersland is shown by this fact: when the Union was being welcomed by salvos of cannon from the Castle (March 10), Pierce went to London to seek his reward, and now, De Foe says, others than he are employing Pierce. At the same time Kersland began to leave Queensberry for the *Squadron*, under the Earl of Roxburgh, as he tells us.³⁶ The *Squadron* are “the others” alluded to by De Foe. He remained *soi-disant* guide of the “Cameronians,” and spy on the Jacobites, for two years. In a letter of May 4, 1709, published by Lockhart, Kersland mentions, among other matters, that the Lord-Justice Clerk had bidden him to countermand his orders to the Cameronians to burn Traquair’s house. “I immediately obeyed.” If, then, historians have accepted Kersland as potent with the “Cameronians,” they are only in the same error with Roxburgh and other contemporary statesmen. Kersland reminds Roxburgh of “my

eminent services when the last Scots Parliament was sitting" (1706-1707), and on other occasions.³⁷ Later he sent to Harley a letter written to himself by officers of the famous Cameronian regiment, raised, as they say, by Kersland's brother. During the time of the threatened French invasion, with King James, of 1708, they say that Kersland promised that their arrears of pay would be made good. "You can bear witness of our readiness to have opposed the French last year, had they landed. . . . We still retain a due value for you, and an esteem for the family whom you are honoured to represent." This paper, with Kersland's letter and promise to visit Harley "on Wednesday night," is in the Duke of Portland's manuscripts.³⁸ In the face of all these facts, it seems vain to deny Kersland's influence with people called "Cameronians," even if "that nickname," as Patrick Walker indignantly styles it, be laxly applied by the writers who are cited.

We have left the intended rising of Westland Whigs and Highlanders at a moment when Cunningham of Eckatt had assured Lockhart that all was in readiness. Seven or eight thousand armed men "were just upon the wing" for the tryst at Hamilton, "when the Duke of Hamilton, without acquainting any of those who he knew were conscious of the concert, sent expresses privately through the whole country" and countermanded the execution of the design. The design was so ripe that "the ministers of thirteen parishes in their several pulpits read the paper handed about for their assembling," writes De Foe to Harley on December 1. These ministers were not, technically speaking, "Cameronians," or rather they were Cameronians in all except renouncing their comfortable places in the Kirk. It is to the Duchess, not the Duke, of Hamilton that De Foe attributes the countermanding of the plot: it was characteristic of Hamilton to hide behind her Grace.

Cunningham now returned to Edinburgh and told Lockhart and his associates "by what means he was disappointed." Lockhart could not explain the Duke's conduct: some said he had capitulated to Queensberry, others that he was afraid of losing his English estates, others that he dreaded the English troops on the Borders. In his four hours of secret colloquy with Queensberry, or in his many meetings with the Chancellor, mentioned by De Foe, Hamilton may have heard words that cooled his courage.

Meanwhile there is the evidence of Sir John Clerk of Penicuik, who knew Cunningham of Eckatt,—evidence regarding which Sir

John asserts that, after two revisions, he finds "every particular fact exactly agreeable to truth." In the document thus attested, Notes on Lockhart's Memoirs, Sir John says: "I have conversed with him [Cunningham of Eckatt] often, and he acknowledged that after he had plotted with these people [the Western fanatics] to make a rebellion he fell into remorse of conscience, . . . and from that time entered into correspondence with the Duke of Queensberry. I know likewise that he was employed by the Duke to go among these men and, by pretending to be their friend, to dissuade them from violent measures."³⁹ After the Union, Cunningham received £100 and a commission as captain, but that was no more than payment of his arrears. It is conceivable that Cunningham, at the last moment, warned Queensberry, and that Queensberry put pressure on Hamilton to countermand the rising in his country, while Kersland quieted the fury of Mr Hepburn's flock and adherents. Thus a great chance of breaking the Union and of seizing the opportunity to serve the White Rose cause was lost.

The next idea of the Cavaliers was to follow a precedent of the minority of James V., and summon all barons, freeholders, and heritors to Edinburgh and request Queensberry to lay aside the Union and address the queen in favour of a new Parliament. Fletcher and Atholl devised this, and Hamilton recommended the scheme. Mr Harry Maule, author of a 'History of the Picts,' dear to Sir Arthur Wardour in 'The Antiquary,' drew up the Address to the Queen. When about 500 gentlemen had mustered, Hamilton broke the plan, saying that he would not be concerned in it unless the Hanoverian succession was secured. The lairds began to return to the country, and Queensberry, on December 27, proclaimed that no such meetings must be held. De Foe (January 2, 1707) writes that the gentlemen would not have been ill pleased "by a popular rising, but I do not find they were very forward to venture their own heads in the fray."⁴⁰ Hamilton was in occasional communication with Queensberry and Harley: Harley knew what his relations with France and the Chevalier were, through the Jacobite spy, Captain Ogilvie, and Hamilton may have had a hint of warning. He and Atholl had now quarrelled openly.

Meanwhile the Articles of Treaty were run through, with some slight amendments as to trade and taxation. The Equivalent was judged to be well calculated and was accepted; the Darien Company

sent in an address, but was left to the proposed compensation. The twenty-second Article, as to the proportion of Scots representatives in the British Parliament, was seized on by Hamilton as a chance of recovering his character among patriots and Cavaliers. They must now, at the eleventh hour, redeem the nation from ruin. They should propose the Hanoverian succession in place of union; that would not be accepted, the proposers would leave the House for ever, and, having procured as many signatures as possible to Harry Maule's address, would send that to the queen. The protest and withdrawal would alarm the English. The protest was drafted, probably by the shifty Lord Advocate Stewart, who through so many years had played so many parts. It was alleged that the privilege of Scots Peers to sit in Parliament was fundamental and immutable, nor could Parliament diminish the representation of the burghs. It was to be protested that the Scots were being degraded below the English Peers (which was undeniably true); that the burghs had petitioned against the diminution of their own representation; that the two national Churches were incompatible; that the trades of the countries were worked under conditions so different that equality of customs and taxes would be ruinous to Scotland. Hamilton said that if England still persisted in the Union they must have recourse to arms, and "call over the king," James VIII. The approval of the Hanoverian succession, he said, would not commit them,—“it was not the first time they had made greater stretches.” His own “stretches” were immense! Atholl would not agree to the “stretch,” but promised to leave the House with the other protesters.

The hour came, but not the man! Hamilton, a martyr to toothache, declined to appear. His friends reminded him that by similar waverings his grandfather, under Charles I., had lost his reputation as well as his head. He was thus induced to attend the House, despite his toothache, but he would not present the resolution: business went on, but nobody, failing Hamilton, would bell the cat. Lockhart learned that Hamilton had received a private threat: England would hold him responsible. Thenceforth the Cavaliers, thrice betrayed by Hamilton, “did every one that which was good in his own eyes”; many ceased to attend the House; Lockhart, Errol, Atholl, Marischal, and others, entered protests which Marchmont denounced as seditious.⁴¹ There was a brawl in the House, says De Foe, Atholl and Argyll giving each

other the lie. On the 14th the two last Articles were voted; by an amendment Scotland kept her records and regalia, which lay for 112 years in a box in a sealed room in the Castle. The House voted its own power to elect the representatives to the British Parliament on this occasion. On January 16 the Treaty was touched with the sceptre, and "there was the end of an auld sang," said Seafield. "The implacable parsons are insufferably insolent," writes De Foe; ". . . they are proud, passionate, ignorant, and jealous," and need very tender handling.⁴² In the English Houses the Treaty was passed rapidly, and the queen assented on March 4, 1707. On May 1 there was held a solemn service in St Paul's. It was a sad old song that ended, and for many a day the new song was as mournful.

That Scotland had been sold, for money down, was a natural thing for angry people to say. In the appendix to his *Memoirs* Lockhart published the results of a financial examination made in England in 1711. It was proved that in August 1706, after the negotiation of the Treaty of Union, the queen lent £20,000 to the Scottish Government for paying arrears and expenses: we know that Marchmont complained that his pension was in arrears, as pensions often were in Scotland. The Ministers were to pay such arrears, and they were to pass an Act of Treasury acknowledging the debt. But they, namely Queensberry, Seafield, Mar, Loudoun, and Glasgow, in two letters, pointed out that "the affair would probably make some noise if the letter were read in the Treasury before the meeting of Parliament, and before the Treaty is well received." It was not well to let it be known that the queen was lending money to the Treasury. The Ministers, the loan being secret, were able to pay the arrears of their friends, while Queensberry's official expenses swallowed much of the money. Marchmont received £1140, 15s. 7d., which, no doubt, was due to him. Why the Duke of Atholl got £1000 is uncertain: he was a strenuous opponent of the Union, and, if he "took the devil's wages," he did not "do the devil's work." Montrose went cheap, if he sold himself for £200, and Banff really cannot have vended his vote for £11, 2s. Lockhart suggests that the Ministers expected to win Atholl, but were disappointed. Many of the recipients of money, he says, had no traceable claims; others, including Atholl, gave no receipts, and their lawful claims were paid afresh out of the Equivalent. What money Queensberry repaid was re-

stored to the Treasury in a clandestine way, and appeared to have been given back again as a reward. The paltry affair was never clearly "redd up," as the Scots say, and it is probable enough that a few thousand pounds did disappear from the accounts, but these pounds did not buy the Union: as De Foe says, "it was merely formed by the nature of things."⁴³

NOTES TO CHAPTER V.

- ¹ De Foe, History of the Union, p. 99. London, 1786.
- ² Memoirs of Clerk of Penicuik, Scottish History Society, p. 58.
- ³ Marchmont Papers, iii. 282-294.
- ⁴ Marchmont Papers, iii. 442, 443.
- ⁵ M'Cormick, pp. 743-745.
- ⁶ M'Cormick, p. 749.
- ⁷ M'Cormick, p. 753.
- ⁸ De Foe, History of the Union, p. 119.
- ⁹ Lockhart Papers, i. 154.
- ¹⁰ De Foe, History of the Union, p. 123.
- ¹¹ Memoirs of Clerk of Penicuik, Scottish History Society, p. 61.
- ¹² De Foe, History of the Union, p. 125.
- ¹³ De Foe, History of the Union, p. 140.
- ¹⁴ De Foe, History of the Union, pp. 155-157.
- ¹⁵ De Foe, History of the Union, pp. 158, 168.
- ¹⁶ Cf. Hill Burton, viii. 132, for some remarks on a patriotic confusion of mind between the dexter of the shield and of the spectator.
- ¹⁷ Correspondence of Colonel Hooke, Roxburghe Club, i. 279-291.
- ¹⁸ Correspondence of Colonel Hooke, Roxburghe Club, ii. 293.
- ¹⁹ Correspondence of Colonel Hooke, Roxburghe Club, i. 372-418.
- ²⁰ Lockhart Papers, i. 147-149.
- ²¹ Edinburgh Review. "Original Letters of the Duke of Argyll," clxxvi. 517, 518.
- ²² De Foe, History of the Union, pp. 312-328.
- ²³ De Foe, History of the Union, pp. 618, 619.
- ²⁴ Lockhart Papers, pp. 173-175.
- ²⁵ Historical Manuscripts Commission, xv., Appendix iv. 354, 355.
- ²⁶ Hill Burton, viii. 160-162. Mackinnon, Union of Scotland and England, p. 315 (1896). Mathieson, Scotland and the Union, pp. 134, 149 (1905). Patrick Walker, Vindication of Cameron's Name, 1727. Cf. Six Saints of the Covenant, edited by D. Hay Fleming, i. 267, 268; ii. 175.
- ²⁷ D. Hay Fleming, United Presbyterian Magazine, May 1898, pp. 209, 210.
- ²⁸ Plain Reasons for Presbyterians Dissenting from the Revolution Church in Scotland, 1731, *s.l.*, pp. 274-277. An Informatory Vindication of a Poor, Wasted, Misrepresented Remnant, &c, 1707, *s.l.*, p. 270.
- ²⁹ Act. Parl. Scot. xi. 285, 286. Appendix, pp. 77, 97.

- ³⁰ Lockhart Papers, i. 196-199.
³¹ See the Dumfries Declaration in 'Lockhart Papers,' i. 194-196.
³² Hay Fleming, U.P. Magazine, May 1898, p. 209.
³³ Wodrow Correspondence, i. 66, note 2.
³⁴ Wodrow Correspondence, i. 289.
³⁵ Lockhart Papers, i. 199.
³⁶ Kersland, i. 29, 44; Portland MSS., iv. 348-392.
³⁷ Lockhart Papers, i. 302-307.
³⁸ Hist. MSS. Com., i., xv., iv., 528, 529. A form of the letter, signed by six names, and dated May 15, is given by Kersland, Memoirs, i. 68, 69.
³⁹ Somerville, Queen Anne (1798), p. 219, note 31.
⁴⁰ Lockhart Papers, i. 203, 205; Hist. MSS. Com., p. 376.
⁴¹ Lockhart Papers, i. 206-221.
⁴² Hist. MSS. Com., p. 385.
⁴³ Lockhart Papers, i. 262-279. See Mackinnon, The Union of Scotland and England, pp. 342-355, for a full criticism of Lockhart's accusations.

CHAPTER VI.

JACOBITE MOVEMENTS.

1707-1708.

THE history of Scotland as a separate nation is closed ; we enter on the chapter, so dear to romance, of the endeavours of some Scots to restore the exiled representative of their royal dynasty. Hearts, in fact, were not absolutely broken by the Union. Lockhart, of all men the most ardently devoted to the ancient kingdom, writing on April 30, 1707, "the last day that Scotland 's Scotland," may "lament and weep," he says, but he admits, "truly I've had admirable sport." He had been coursing at this odd season of the year: hares were plentiful, and "Bagpipe and Thistle are to run at Peebles on May 8 ; . . . the last runs like an arrow out of a bow from all the rest." He finds his neighbours as "honest"—that is, as Jacobite—as if the whole shire of Angus were transplanted into Whiggish Lanarkshire. "What just sentiments they have of affairs, and how ready to embark!"¹ They were soon to have a chance of "embarking," which they did not accept with avidity.

On March 9, 1707, "the two kings," Louis XIV. and James VIII. and III., gave Colonel Hooke letters for twelve leading Scots: recommending Hooke to Atholl, Marischal, Kincardine, Mar, Grenard, Buchan, Annandale, Bute, Aberdeen, Glencairn, Galloway, the Dukes of Hamilton and Gordon ; Drummond, Errol, and Panmure. These were, indeed, broken reeds ; the barons addressed were of a sentimental but not of a fighting loyalty—were not men like the venerable Lochiel, Clanranald, and Glengarry, and the Macleans. The exiled Simon Fraser (Lovat), from the Château d'Angoulême, warned Hooke not to believe what might be said about himself by the friends of Atholl and Hamilton. He

boasted of how he had bullied Atholl (as in his Memoirs), while Atholl was still Tullibardine. Hamilton and Atholl "are well fitted to make a noise in Parliament, but will never draw sword for the king,"—a warning which Hooke found to be perfectly veracious. Nobody is true, said Simon, but the North and the clans, whom he could direct if he were released from prison (March 5, 1707).

Hooke might have listened to Lovat and stayed in France, for all the good that he did in Scotland. James wrote to Hamilton, expressing his own intention to land in Scotland. The king did not lack courage,—at Malplaquet he charged repeatedly at the head of the *Maison du Roy*; but he did lack gaiety, and was no steadfast leader of a forlorn hope. Handsome in youth, he did not win hearts, for he was very shy; and, far from being the witty tipsy profligate described in 'Esmond,' Thackeray's famous novel, he was of a melancholy temperament, and was accused by his enemies of a culpable coldness towards the fair sex. These cruel charges were made in 1715; in 1707, when only eighteen, James, had he been permitted to land, might perhaps have gained affection as readily as did his more audacious son.

Hooke's orders were to say that the unfortunate campaign of Ramillies had made it impossible for Louis to aid his ancient allies. But stirred by the dangers expressed by "the false name of union," he will now send succours, though he candidly adds that they may not be "bien considérables." Officers and arms are promised at once: they were not sent. Hooke is to have two frigates at Dunkirk: they were privateering on the private account of Pontchartrain and not accessible; but Hooke found a small vessel, *The Heroine*, of sixteen guns. His orders were to visit Lady Errol, and be guided by her advice. Female counsellors of the Jacobites were always many and eager, but of less weight than the women of the Kirk party, to whom De Foe attributed the Presbyterian recalcitrance. If the Union has been passed, Hooke was told, the country will be the more excited, and this was true. The opponents of the Union, all the prejudiced and ignorant folk in Scotland, with all the Jacobites, all the more extreme Presbyterians, and the Cameronians, expected to be deceived and robbed by England as soon as the Union passed. They easily persuaded themselves that their fears had become realities.

The Scottish commercial class had laid a plan, mentioned by

De Foe as early as February, for at least making an honest penny out of the dastardly betrayal of their country. The duty on imported goods was lower in Scotland than in England. If, therefore, the Scots traders brought in foreign wares after the Treaty of Union had passed the Scots Parliament, and before its final ratification, they could clear a desirable difference by importing them into England after the ratification. English traders, observing the circumstance, bought goods abroad, had them shipped to Scotland, and meant to transport them into England at the right moment. Other devices of a similar sort occurred to English capital and enterprise, and Scotland was rich in foreign luxuries awaiting translation to consumers south of the Border. In April the English House of Commons passed a Bill to prevent these evasions of English duties—that is, they legislated against bringing foreign goods into Scotland for the purpose of bilking the English Custom House. But Scotland was still for a few weeks a separate kingdom, and it was plain that no English Parliament could legislate for it. The English House of Lords was obliged to recognise the difficulty: there were disputes between the two Houses, the Lords taking the side of strict legality. But the English Board of Customs refused to allow a number of vessels bringing foreign goods from Scotland to be unloaded, and the commercial Scottish were furious. The question was tossed about between the Courts of Law and the Parliament, and the Scottish grudge against the Union was fanned into flame.

The arrival of part of the Equivalent in gold and the rest in Exchequer Bills provoked the mob. We do not know that they assailed the soldiers who guarded the waggons containing the arrears of pay that were the price of Charles I., but De Foe saw the crowd stone the Scottish soldiers who protected the Equivalent as far as Edinburgh Castle. Moreover, the greater part was sent in Exchequer Bills, which the multitude did not understand. They thought that they were “bit,” and that their honour, national independence, covenanted religion, and all that they held dearest, were being paid for with notes on the Bank of Fancy. A glimpse of Edinburgh at the moment of the arrival of the Equivalent is given by Mr Houblon of the Bank of England, in contemporary letters to his brother in London. They were of a noble Huguenot family, which came to England in the reign of Elizabeth: one of the house was the first Governor of the Bank of England. Mr

Houblon accompanied the Equivalent on its northward way, and was received with military honours at Berwick, "a miserable place,"—so he describes the town which, under Edward I., was reckoned the peer of ancient Alexandria. In Edinburgh the Commissioners and Chancellor were most hospitable. "The wine is incomparable, and yet I drink water with it to save myself all I can." "I am lodged four stories, and some of us eight stories high: here are houses sixteen stories. The women all wear Scotch plaids on their heads as a veil, and look like so many Harlequins, and have an air, too, of Nuns: some wear them with a *dégagé* air that is agreeable."

Mr Houblon tranquilly remarked on the discontents. "The Scots are uneasy at the seizing of their wines" (in the Thames) "after a *Transire* was sent them to London; also at the pressing their seamen out of their ships" to serve in the navy. "These are wrong steps, and will render matters the more difficult to us. . . . We have so managed matters that all reasonable people will accept the Exchequer Bills in payment, but we have to do with a great number who are not so, and who are enemies to the Government, and therefore it will be requisite that another convoy of money come down from London. The £100,000 arrived here this noon [August 5], and is safe lodged in the Castle," where there was a Jacobite plan of seizing the gold. "It gave a very great alarm to the people of this place, and some are not yet satisfied that there was money in the carriages, but ammunition or stones, and they're very apprehensive they are to carry back the Crown." When Sir Walter Scott, with others, opened in 1818 the locked box in the closed room where the Regalia lay, these apprehensions were lulled at last! * The mob stoned the bank officers and coachmen, and "here are frequently riots about the Excise: some brewers have left off brewing, and the mob would oblige the rest to put out their fires, which is no ill-laid design to raise a commotion. . . . The novelty of paying the Excise, and the harshness of some parts of it as to the poorer sort, with the seizing of their wines, and pressing their seamen, all at one juncture, contributes very much to sour these people. . . . We were at Kirk on Sunday, and saw two stand upon the stool of Repentance." On August 26 a great hunting is reported as imminent in the Highlands,—“about 3000 Tories and Papists” were the sportsmen.

* See Lockhart's 'Life of Sir Walter Scott,' v. 273-284.

As the revenue was henceforth to be collected on the English system, in place of the old farmers of the taxes, English officials were sent to show the way, and their unpopularity needs no explanation. Smugglers began a career of profit and popularity which was long enduring. The abolition of the Scottish Privy Council was a less sensible grievance: it could not be represented as a breach of the Union, and it served the ends of the *Squadrone* as much as it tended to defeat those of the Courtiers under the leadership of Queensberry.

All this friction is inevitable in political, if not in personal, honeymoons, but, combined with the standing religious objection to the Union, it produced an amount of heat which the Jacobites hoped would mature their scheme for a restoration. In May and June Scottish anger was at the boiling-point. In short, all was going to the heart's desire, and Jacobites alleged that the Prince of Wales (King James) "will be here in less than six months." They did not miscalculate: James was off the coast within the six months, but the French admiral would not allow him to land.² Fiery preachers made more din than the moderatism of the General Assembly could stifle.³ De Foe said, however, "It is the easiest thing in the world to hire people here to betray their friends. . . . I have spies in the Assembly. . . . The measures I took about the Assembly put me to no small expense." De Foe cannot possibly have bribed the Assembly, he had not funds, and the preachers never were corrupt. But the temper of the country, as we have heard Lockhart say, seemed all that the Jacobites could wish. Louis was under the false impression that large supplies of arms had, according to his commands, been sent to Hooke for Scotland. They would have produced a better effect than promises—for example, the promise to give Hamilton, in France, an equivalent for the Duchy of Chatelherault, conferred in 1554 on that ancestor of his, in the female line, who played the usual family part of a waverer during the Reformation. The claim of the present Hamilton to Chatelherault was "very doubtful," said the French king. Hooke had told Louis, in 1705, that he suspected Hamilton of desiring the Scottish Crown for himself. Failing a restoration of James, Louis preferred a Hamilton dynasty in Scotland to the Union. But certainly the patriotic Cavaliers were not likely to go to war to make a Douglas King of Scotland.

Hooke embarked from Dunkirk on April 17. On April 9 the

Duchess of Gordon wrote to Lady Errol, lamenting the delay of "the man who was to buy your meal," namely, Colonel Hooke. A new "meal merchant" had applied to her, "an honest Cameronian, with his Whig partners." It was highly important for the Jacobites to gain the hardy Cameronian yeomen, armed, well horsed, and probably in some cases drilled. But the rival meal-merchant was only Ker of Kersland, the pseudo-Cameronian, pseudo-Jacobite spy of Queensberry. De Foe's agent among the Cameronians, "Pierce," left Edinburgh for England on March 10, 1707, being employed by other hands, namely the *Squadrone*. But Kersland says that he was in Edinburgh at the end of March, when some Jacobites, in Lady Murray's gardens, inducted him into Hooke's scheme and asked him to bring in the Cameronians. Kersland at once revealed to Queensberry, and next to Roxburgh, all that he had learned, and was ordered to pretend to be hearty for the plot. Kersland objected to so much "dirty work," but next day made conditions with the Jacobites, including the maintenance of the Protestant religion, to which he was ardently devoted. Receiving comfortable promises, but no precise intelligence, he arranged a cypher correspondence with "the Earl of R——" (Roxburgh). He really was preparing some people whom he calls "Cameronians" to act for the Government, with promise of pay of arrears to the officers in the famous regiment that drove the clans out of Dunkeld, as a letter of theirs proves.⁴ Ker, at the end of April, retired to Kersland "to breathe some honest air in the country." He needed that refreshment, for, among his other rogueries, he had deserted Queensberry for the *Squadrone Volante*, who probably were, as we saw, the new employers of "Pierce," darkly hinted at by De Foe on March 10. In May the Jacobites summoned Ker to Edinburgh, he says, satisfied him as to religion, and let him into all their secrets. His dates are vague, and, judging from the Duchess of Gordon's letter to Lady Errol, of April 9, she had "kept of a good merchant all this time," namely, "the honest Cameronian mealmonger," Ker. Apparently he had, before April 9, played the *agent provocateur* among the Jacobites; if so, he was even a greater scoundrel than he confesses himself to be. It is his plan to represent them as approaching him, while, to all appearance, he approached them. Ker arranged that James should promise abolition of the Union, and declare himself a young prince unpersuaded, ready to lend a candid ear to the truth as it is preached "by Protestant Divines."

In June, Ker was able to send Hooke's cypher to Queensberry, and he received, from Baillie of Jerviswood, under the Privy Seal, the queen's permission to disport himself as a Jacobite among Jacobites.⁵

We now return to Hooke, who, by the middle of April, was in Scotland; but the noble Jacobites, he found, were singularly "indisposed," especially Hamilton and Atholl, and were quite unfit for business. The Duke of Gordon, too, was "indisposed" when Hooke wished for an interview with him. He had to lurk in a wood till he was conveyed to the place where he was to be shut up for an interview with Lord Drummond. Hamilton was struggling against his aguish fit with "bark or Jesuit's powder," but not all the quinine of South America could have a truly tonic effect on Hamilton. The intriguers believed that Rorie Mackenzie (as they styled the Cameronians) "was for him" (for King James): probably Ker had beguiled them into this delusion, unless, indeed, he had beguiled the Cameronians into "a doubtful trust" of that prince. At this very time Lockhart's head was full of Bagpipe and Thistle, his dogs! Lockhart represents Ker as very successful in extracting confidences from the Duchess of Gordon and Catholic priests.⁶ His own opinion was that Hooke negotiated in a corner, Angus and Perthshire, so openly that all the world knew it, and yet without consulting "others"—himself, probably, and the Lowland Cavaliers. Yet his friend, the laird of Auchterhouse, represented Lockhart to Hooke as fully engaged. Hooke had served the ambition of Atholl to appear as the leading friend of the king, which implied throwing the indisposed Hamilton into the opposite party, or, at least, vexed that party, and made them choose another envoy to James than Hooke. They urged that if James crossed the water he should bring at least 10,000 or 15,000 regular troops. None the less, says Lockhart, they would have joined the king had he landed: one may be quite certain, however, that neither Hamilton nor any of his adherents would have been "in their bandoliers."

These jealousies, suspicions, delays, and ill-concealed intrigues were the mark of every Jacobite attempt from 1707 to 1759. Spies were never lacking, and Ogilvie, Dundee's old officer, was sent to Scotland in summer to pick up what crumbs of information might have escaped Ker of Kersland. The imbecility of Jacobite Lowland intriguers, torn by common and thoroughly well-deserved

distrust of each other, shows the want of sense among the leaders of the opposition to the Union. That Union was, when all is said, a surrender, but it was a sagacious surrender, while the dreams of the Cavaliers were feverish and futile.

Nothing could be more divided than their party. Hooke, representing the Court of Versailles, desired to keep all his secrets from the Court of Saint Germain. Now, just as the Lowland Cavaliers of the North regarded Atholl as their leader, and warned Hooke against the thrice perfidious Duke of Hamilton, so the Lowland Cavaliers of the South, little as they trusted Hamilton, followed him rather than the hot-headed counsels of the Catholics about the Duchess of Gordon and Drummond. At Saint Germain, the party of Middleton trusted Hamilton, the party of Perth preferred Atholl, and the Duchess of Gordon put Hooke and Ker of Kersland in a cypher correspondence; while the Presbyterian leader—as such he gave himself out—betrayed the Catholic lady and all the secrets he could learn from her to the Government. Hooke's vast Memoir and copious correspondence proved that he wished to have two strings to his bow, the Atholl string and the Hamilton string,—he himself preferring Hamilton. For Hamilton was, in fact, *two* strings: he might try to restore the king, or might himself secure the crown of a Scotland disunited to England,—a plan which would equally suit the policy of France, and therefore suited Hooke. His orders were to obtain correct information as to topography, supplies, fortresses, arms, and leaders, and to collect promises of adhesion. To make promises as to what forces Louis would send was not part of his duty. The French king, we know, had offered “nothing considerable”; but Hamilton at one time asked for 15,000 men, and said that unless James aimed at winning both Scotland and England it was not worth while to enter on the game. Hooke, travelling the country disguised as an English cattle-drover, was driven back on hopes from Atholl; but Atholl, like Hamilton, was malingering.

The best and most loyal subjects, it seemed, were the Cameronians, who were armed and ready; and Hooke learned, through the mendacious Ker, that they only asked for religious toleration! Had Hooke been a Scot, this audacious fib would have proved that Ker was not only deceiving him but laughing at him. The Earl Marischal fairly shirked so conspicuously that Hooke plainly gave him a candid opinion of his conduct. The least impracticable plan

was General Buchan's scheme for seizing Inverlochy. Had that been done, and had James landed in Moidart, the clans would have joined him and swept the waverers forward with their avalanche. But the Presbyterians (*teste* Ker) wished for a landing at Kirkcudbright, the Lowlanders at Montrose or in the Firth of Forth. Either Ker had himself a plan (false, of course) for a sudden seizure of Edinburgh Castle by a pleasure-party,—gentlemen, backed by a hundred stout fellows hidden in a cellar,—or such a plan (genuine) was confided to him. Ogilvie the spy gives the former version; Ker says that he dissuaded the attempt as premature, rushed to town, and confided it to Government. He was seen leaving a house in St James's Square: a letter of warning was sent to Edinburgh, but Ker rode down before the letter and claimed an alibi.⁷ Ogilvie (October 18) writes that Ker is found out and shunned; and in the letters of the Duchess of Gordon we see that, in about ten weeks, her suspicions grew to a certainty that the "mealmonger" was not "honest."⁸

Ker, in fact, was in a quandary. He was engaged to the Jacobites to bring over the people whom he calls Cameronians, and, as he had certainly been seen in St James's Square, he was obliged to avert the Jacobites' suspicions. How he did this he tells us. They desired him to cause the Cameronians to make "a public appearance against the Government," as this would encourage the French. "Therefore," he says, "I convened that party of the Cameronians which followed Mr Macmillan, one of their preachers, at Sanquhar, and at the Market Cross made public declaration against the queen that she had forfeited her right to the Crown by imposing the Union upon us, and therefore disowned her authority and government, declaring it unlawful to pay taxes or obey her. . . . Though this Declaration did not mention the Pretender expressly, yet it was couched so as to make the Jacobites hope that the Cameronians might be soon reconciled to that interest." The Lord-Justice Clerk wrote to Kersland complaining of "this insolence," but Kersland replied that it was necessary "to renew the confidence which I thought was proper the Jacobites should repose in the Cameronians, and to confirm my credit with them, which I thought was declining"—as it was. The Cameronians did enjoy one of their favourite meetings at Sanquhar in October 1707; but far from "not mentioning" James, they "protested against and disowned the pretended Prince of Wales."⁹ The date of this per-

formance was October 22, 1707, and Ker's account of the transaction is false.

Why Kersland told this fable is not plain, unless it were merely to annoy the Cameronians, in which he perfectly succeeded. As has been shown, the writer was refused access to the Minutes of the Cameronian Societies, but Mr Hay Fleming, more fortunate, states that they did hold a desirable General Meeting at Crawfordjohn on August 6, 1707, and appointed a Committee "to draw up a Protestation and Testimony against this sinful Union." The Rev. Mr Macmillan, of whom Kersland speaks, was one of the Committee, and the Proclamation was issued on October 22, 1707, at the Cross of Sanquhar, the usual place.¹⁰

As far as it proved the dissatisfaction in Scotland, the Protestation might encourage Louis XIV. to send James and a fleet, but the Cameronian love for "the pretended Prince of Wales" was certainly "dissembled."

Finally, at Scone, Hooke negotiated with a number of Jacobites. He represents himself as standing on the dignity of so great a king as Louis, who must be sued to, and would tolerate no dictation. The Scots cut their demands down to a French force of 5000 men,—they would raise 30,000,—and to a petition for arms. It was essential that King James in person should accompany the expedition. Most of the signing was done by deputy: Breadalbane would not even be signed for: Auchterhouse signed for Lockhart. The absence of the handwriting of the great men did not chill the French king. Hamilton, in cypher letters, asked for terms which he knew that France would not grant, though they were, in fact, by no means too high. Though Lockhart must have known Hamilton well by this time, he espouses his cause in this case, as that of loyalty, common-sense, and caution, which makes us marvel why he commissioned Auchterhouse to sign for himself.¹¹

Ogilvie the spy (November, 17) informed Harley of the whole affair, with some inaccuracies. "I think I never ran a greater risk of my life since I was born," he says, for he had travelled through Angus and Perthshire, trusted as a loyal member of the House of Airlie, and betraying (with the aid of his worthy brother) kinsfolk and old friends.¹² Drummond, Breadalbane, Ogilvy of Boyne, the Laird of Logie (his cousin), old Lady Huntly, Graham, a companion in arms of early guiltless days, the spy saw them all, and told all that they had told him,—which was much exaggerated.

He knew that Hamilton "is resolved to walk on sure ground, having an estate in England." He found Catholicism as publicly professed in the north-east as ever it was under James II. He says that De Foe "tries to insinuate himself in several companies, but none will admit him."¹³ It is always pleasant to hear one spy discourse concerning another.

Hooke had allowed it to be supposed that August would find the king upon the sea, but everything in France was executed in a dawdling inefficient way when it was a question of aiding the Jacobites. French policy, naturally, was to cause the English to remove their troops from the Low Countries, and to embroil England in a civil war with Scotland on the cheapest terms possible. Saint-Simon says that Hooke won Caillières over to his idea of invading in aid of 30,000 Scots; Caillières converted the Ducs de Chevreuse and Beauvilliers; they secured the adhesion of Chamillart,—but Louis XIV. was thoroughly tired of his many failures in attempting to make use of the Jacobites. Finally, the Duc de Noailles gained Madame de Maintenon, and Louis consented, without enthusiasm.¹⁴

In some respects the opportunity was good. Scotland had not yet recovered from her very excusable fit of ill-temper. If the country did not want James, it had as little love of England; and Wodrow, the learned historian and minister of Eastwood, remarks that in his neighbourhood the attempt at a French invasion found people strangely indifferent. The excitement of the Cameronians would seem, as it reached the ears of the French, to be a good omen; and though very few nobles and gentlemen met Hooke in the conference at Scone, they were authorised to sign for Atholl, with his warlike Highland following, for Nithsdale and Kenmure, who were in earnest, and for other lords whose names looked well on paper.

The clans were signed for, and could be depended upon, if they did turn out, to fight; Marischal, though indisposed, gave assurances. There was abundance of paper promises, and Hooke made the most of them, declaring that 20,000 Ulster men would rise. Probably Hooke, who left Scotland before Ker of Kersland was entirely unmasked, based that dream on the word of "the honest mealmonger," who affected to be deep in the secrets of Irish as well as of Scottish Presbyterians. Hooke believed as much as it suited him to believe, though he must have known that, thanks

to the sluggishness both of Atholl and Hamilton, which he quite appreciated, and to their disunion, the policy of France was to hazard few or none of her men, but to feed the agitation with money and arms. He suggested September 1707 as the time for the blow, but it was delayed, to the confusion and sorrow of the Jacobites, till the winds of the vernal equinox of 1708 were likely to ruin everything.

Thirty vessels, inclusive of transports, were prepared at Dunkirk and elsewhere. Forbin, who is said to have distinguished himself on the British coasts, received the command: 6000 men were moved from Flanders to Dunkirk. The secret was well kept, says Saint-Simon, but (as the Scots complained) there was great delay. The French, when they launched an expedition in aid of the rightful king, usually chose the season of the equinoctial gales, as in 1744. Pontchartrain was supposed to waste time treacherously; Chamillart rivalled him by dint of native inefficiency! The Court of Saint Germain was kept in the dark: James was to be accompanied by Perth, his tutor Sheldon, and but few others of his own Court. Gacé—brave but stupid, Vibrage—debauched but brave, were to lead the troops. Gacé was to be made a *Maréchal* of France as soon as they set foot in Scotland: James, as they never did set foot in Scotland, gave him his commission as soon as they disembarked again in France. Among the colonels, we remark Gaydon, later the companion of Charles Wogan in rescuing from prison the future wife of the young Prince whom he now accompanied on a sleeveless errand. The king left Saint Germain on March 6, probably unaware that he was sickening of measles. On the 11th came a messenger with news that the British fleet was blockading Dunkirk, and that James was determined on fighting his way through. The English, however, had retired, and young James, now in full measles, and wrapped in blankets, insisted on being carried aboard.¹⁵

On the 17th of March the expedition started, with five men-of-war, twenty-one frigates, and two transports.¹⁶ The weather detained them at Nieuport till the 19th, and three vessels were driven back into Dunkirk. But James refused to wait for them, though his force was only about half of the lowest estimate that the Scots desired. They intended, says Andrezel, to disembark at Burnt-island, and thence send a detachment to seize the bridge at Stirling, and keep the way open for the gentlemen of Angus and the clans.

“His Britannic Majesty became very sick.” On the 23rd (22nd?) they saw the Scottish coast, but found they were too far north. They came back, and Forbin sent a vessel up the Firth of Forth to fire five guns, the preconcerted signal. On the 24th they lay behind the Isle of May, when, at dawn, they detected an English fleet and fled north. Lockhart lays the blame of the fiasco on one George, a pilot, who got drunk and missed his opportunity—a thoroughly orthodox Jacobite proceeding.¹⁷

The English Government had completely neglected to provide stores and ammunition for Edinburgh Castle, where Leven mustered his slender command, marched to Leith sands, and put a bold face on the situation. But the fleet did all that was needed, chased Forbin, and took a vessel, previously English, *The Salisbury*, with plenty of money and stores. Wodrow heard a tale that James was taken prisoner on *The Salisbury*, but was released. Happy on the 24th, on the 25th the Jacobites in Edinburgh learned that Sir George Byng had simply frightened the French away. James wished to land at Inverness, or anywhere, but there was a heavy sea and no pilot; so Forbin sailed home again, arriving at Dunkirk on April 7 with the remnant of his fleet in melancholy case.¹⁸ While the king was on the sea, Hamilton had been at his English place in Lancashire, quite safe, as usual,—indeed a kind of prisoner; and though Lockhart defends his honesty, that quality is more disputable by far than the loyalty of Louis XIV. “I can’t altogether condemn those who are of opinion that the French king did never design the king should land,” says Lockhart; but Louis must have longed to see the last of James. No Franco-Jacobite enterprise ever excelled in imbecility that of 1708, when, if the king had landed with only his valet, says Ker of Kersland, the country would have risen for him.

As to that rogue Kersland, the Jacobites had found him out; indeed, few but women like the Duchess of Gordon, priests, and adventurers had ever trusted him. But Hooke was among the confiding adventurers. In January 1708 Ker tells us that he lamented the unprepared state of the Castle, and went to London in February-March 1708. When the news of Forbin’s start arrived, Harley requested him to go home again. Kersland represented that he could induce the Cameronians to meet and declare against the Pretender; and also asked for money to pay the arrears of the officers of the Cameronian regiment, the victors of Dunkeld.

Here he tells truth : in the Portland papers is a letter of Kersland to Harley, of 1709, referring to the transaction.¹⁹ Kersland went home, assembled the leading men of the Cameronians at Sanquhar, quoted the Bible, and induced the Cameronians to "declare against the Pretender." But still Harley did not send the money to pay the officers' arrears. Kersland, who is perplexing with his doings at Sanquhar, after this time ceased to be of influence. He was not better rewarded than De Foe, who deserved such recompense as he never received. As to the controversy about the Cameronian-Jacobite alliance, it seems highly improbable, or impossible, that the society men were officially engaged through their societies. But the politicians of the day applied the term "Cameronian" to malcontents of Covenanting principles, of whom many were not, strictly speaking, Cameronians or Dissenters.

NOTES TO CHAPTER VI.

¹ Hooke's Correspondence, ii. 230, 231.

² For these letters the author is indebted to the kindness of Lady Alice Archer-Houblon.

³ De Foe, in Hist. MSS. Com., pp. 394, 395, 401, 408, 431, 432.

⁴ Ker of Kersland, i. 37-43. Hist. MSS. Com., *ut supra*, pp. 528, 529. The letter is of October 26, 1709, but seems the same as one of May 1708, given by Ker, Memoirs, i. 68, 69.

⁵ Ker, of Kersland, i. 45-47.

⁶ Lockhart Papers, i. 302.

⁷ Kersland, i. 49, 50.

⁸ Hist. MSS. Com., *ut supra*, p. 456.

⁹ Informatory Vindication, pp. 270, 107.

¹⁰ United Presbyterian Magazine, May 1898, p. 210.

¹¹ Lockhart Papers, i. 231, 232. Hooke's Correspondence, ii. 369.

¹² Hist. MSS. Com., *ut supra*, pp. 460, 461.

¹³ Hist. MSS. Com., *ut supra*, pp. 465, 466.

¹⁴ Saint-Simon, Mémoires, vi. 117-119 : 1829.

¹⁵ Saint-Simon, vi. 126.

¹⁶ Andrezel in Secret History of Colonel Hooke's Negotiations, p. 139 : 1760.

¹⁷ Lockhart Papers, i. 240.

¹⁸ Journal of Gacé (Maréchal de Matignon), Secret History of Colonel Hooke's Negotiations, p. 147.

¹⁹ Hist. MSS. Com., xv. iv.

CHAPTER VII.

JACOBITES AND WILD WHIGS.

1708-1714.

FEW things were more apt to inflame Scottish national feeling than the transport of many Scots gentlemen and peers, suspected of accession to Forbin's futile attack, to London. Among these was the Duke of Hamilton, who, by promises of political aid from himself and his party to the Whigs, obtained the release of all but three prisoners. These were sent back to Edinburgh, tried, and acquitted. In the ensuing elections for the first British Parliament of the autumn of 1708, the Cavaliers in Scotland were inactive, being apprehensive of accusation and imprisonment. Lockhart, for Mid-Lothian, was elected, despite Presbyterian and courtly opposition. The small band of Jacobites chosen had no view except to secure the safety of their friends implicated in the recent attempt. Parties were in such unstable equilibrium that the Court, the Government, could be neither called good Tory nor good Whig, but simply "the Court." They secured a vote acquitting them, very unjustly, of negligence of national defence, and had the support of the majority of the Scots. Eldest sons of Scots peers were made incapable of election to the British House of Commons for any Scottish county or burgh,—a rebuke, Cavaliers thought, to the sycophancy of these peers, "the chief instruments," says Lockhart, "of selling and betraying their country." Scottish peers, such as Queensberry, who were also peers of England, were debarred from voting for the Scottish elective peers sitting in the House of Lords.

More important was a measure which substituted the English for the Scottish law in cases of treason. This had all the appear-

ance of defying the first principles of the Union, though it was almost necessary, in the circumstances, that, in the united nation, treason should have one definition, one mode of trial, and one penalty. The Scottish members unanimously opposed the Bill: their laws and judiciary court had been secured by the Union, and their laws were, in many points, more fair to the accused, and rather worthy of English adoption than of repeal. But the Ministry had been greatly alarmed by the French naval demonstration, and they feared another, and determined to be at least legally forearmed. In vain was it urged that the accused had a right, as in Scotland, to know beforehand what evidence against them they had to meet. In vain was the cruelty of visiting by forfeiture, and "corruption of blood," the sins of the fathers on the innocent heads of the posterity denounced. In Scotland such forfeitures, often enacted, had but seldom been carried into action. A few years had generally brought restoration to rank and lands, except in the unusual case of the Gowries. Torture, however, was abolished; but the English Commission of Oyer and Terminer was introduced, always to include one Scottish Lord of Session. Thus the measure passed the Lords; but the Commons exempted landed estates from forfeiture, and permitted the accused to know the evidence against him ten days before his trial,—ameliorations modified by the clause that they should only become law after the House of Hanover had been for three years settled on the British throne. Had they waited, as Somers proposed, till the death of "the Pretender," they would have waited till the early years of the nineteenth century and the decease of the Cardinal Duke of York.¹

Though divided among themselves, the Forty-Five Scots members could unite on occasion and make themselves dangerous to any who insulted their country. In 1710, Sacheverell, and "The Church in danger," with the queen's resentment of the temper of the Duchess of Marlborough, drove out the Whigs, and introduced Harley and St John to power. Hamilton had been induced by Lockhart, contrary to all hope, to vote for the acquittal of the noisy Sacheverell, with Mar, soon to be so notorious, Wemyss, and Northesk. The other Scottish peers had supported the falling Ministry. Argyll, too, whom Marlborough greatly distrusted, was active in procuring their dismissal.²

The elections for the new Parliament were conducted with the

usual spirit and candour. The Whigs "bellowed that Popery and the Pretender were coming in," the Tories "that the Church and the Monarchy were rescued from the very brink of perdition," says the sardonic Lockhart. In Scotland the Whigs added that Presbytery was in danger, as now, in England, the mitre was pushing with its horns. The Cavaliers did not "bellow," but whispered over their claret that "now or never was the time to bring in the king and dissolve the Union." Hamilton, Argyll, and Mar lent all their influence to Tory candidates. All the peers were for Harley and St John, and two-thirds of the members of the House of Commons were "on the Tory lay": the new "Court," however, the new Ministry in England, did not back "the Tory lay"—Harley not so much desiring a sweeping majority as a balance of parties. He soon showed that he had no desire to conciliate Scotland. A duty for thirty-two years was imposed on exported linen, "the staple and chief commodity of Scotland." Baillie of Jerviswoode argued that while English woollens were free it was unfair to tax Scottish linens, above all as Scottish woollens were now prejudiced by the free admission of rival English goods. "Have we not bought the Scots, and have we not a right to tax them?" Harley is reported by Lockhart to have asked.³ No wonder that the Union was now the object of universal popular hatred in Scotland.⁴

Lockhart retorted on Harley with spirit. He was glad to hear Harley's avowal of what he had never doubted, that Scotland had been bought and sold. What was the price, and who received it? A slight technical modification for the relief of Scottish manufacturers was accepted, and after a great loss of time and trouble "the bill was let fall." Jerviswoode had justly remarked that members "were sometimes for acting as if the two kingdoms were united, and sometimes as if they were not so," and as if England alone was to be considered.

Lockhart and his allies had now shaken off the influence of the sixteen representative Scottish peers, and were actually consulted by the English Ministry on the affairs of their country. Lockhart thereon resolved to bring in a Bill for the toleration of the Episcopal clergy in Scotland. At this time "the public interest of our Lord Jesus Christ and His Church . . . had a melancholy aspect," as the Rev. Mr Maxwell, a minister near Dundee, wrote to Wodrow (Nov. 7, 1709). The "ill-mumbled Mass," the English Prayer-Book, had invaded Scotland. The Earl

of Strathmore had been buried with Anglican rites, the clergy present "being arrayed in their canonick gowns." Magistrates declined to execute judgment on the guilty Episcopalians. "It is to be feared judgements, sudden judgements, are not far off."⁵

The dreaded Prayer-Books appear to have come in with "the English excisemen and such cattle," as Wodrow says, in 1707. In that year the General Assembly passed an Act against the use of the Liturgy, and took other measures. It must be remembered that, even under Charles II., the Episcopal clergy in Scotland had not, with the rarest exceptions, read the Anglican prayers. The old objections to what Leighton thought decency and order in worship held their ground. Only some parishioners abstained from wearing their hats in church, "which our Presbyterians do but by halves, even in the time of prayer." "Amen," too, gave great offence.⁶ Laud's Service-Book was not yet reprinted, not till 1712, and was very rare. This book has long been a cause of feuds among the Scottish Episcopalians, but, in 1709, not Laud's but the ordinary English Prayer-Book was threatening the pure atmosphere of the North. "Judgements, sudden judgements" might be, and were anticipated, as Knox prophesied them when Queen Mary was allowed to have her Mass.

At this juncture the Rev. Mr Greenshields was much in the public mouth. Lockhart says that he was the son of a Scots Episcopal minister, rabbled out of his parish in 1688-1689. The young man had taken the Abjuration Oath against King James, and he now officiated in an Episcopal chapel in Edinburgh. It was unlicensed by the Bishop—perhaps because Greenshields did pray for Queen Anne. Probably he made himself very conspicuous: in any case, he was summoned before the Presbytery, handed over to the secular arm, and imprisoned. The Lords of Session affirmed the decision of the magistrates, and Greenshields announced his intention to carry his case to the Lords. They were occupied with Sacheverell's case, but, in 1710-1711, the Tories being now in force, Eglintoun, Balmerino, and Lockhart "buoyed up Mr Greenshields." Harley found fault with Lockhart, privately: the affair, he said, would only cause irritation between the Church party in England and the Presbyterians in Scotland. Lockhart replied that the Presbyterians "were as much exasperate already as they could be," in which he misjudged their faculty of being exasperated. They were "giving him [Harley] over to the gallows and the devil from their pulpits."

Harley was disappointed: the Scots Tory members successfully made interest with the Lords, "the sentence of the Lords of Session was reversed, and the city of Edinburgh ordained to pay swinging costs to Mr Greenshields."⁷ Episcopal chapels increased in number, and the use of the Prayer-Book spread. Even within the Kirk herself there were distressing symptoms of a desire for order in public worship,—a reaction against the negligent irreverences which ensued after the Knoxian Book of Order fell entirely out of use. Wodrow heard with pain that, in Ireland, young ministers "are setting up the use of the Lord's Prayer at the end of their public prayers, recommending mightily premeditate prayers, and kneeling in the time of public prayer." These things "were very uneasy to the honest old men that have seen the glory of the old temple."⁸ The godly ideal of public prayer seems to have been that there should be no premeditation; not even the minister himself should know what he was going to say next; "a great gale" of spiritual influence should carry him along, probably over a sea of nonsense. The General Assembly (1710) perceived an extraordinary growth of Popery in the north and the islands, "large countries never reformed." In 140 years since the Reformation, great districts, it appears, were not allowed to be Catholic, or instructed in being Protestant.⁹ On the other hand, irresponsible persons went about prophesying in the streets of Edinburgh: apparently they were disciples of visionaries of the Cevennes, where persecution had produced a "revival," with the strange physical and psychological phenomena which usually accompany what Wodrow called "enthusiasm." Wodrow saw that, as regarded the use of the Prayer-Book, the nobles and gentry encouraged it, "and we are just the reverse now of what we were in 1636." The uproar against the Prayer-Book had really, no doubt, been resistance to the despotism of Charles I., rather than the result of a reasoned consideration of the relative merits of the two systems of public worship,—of prayer without and prayer with a liturgy.

But the verdict of the House of Lords in Greenshields' case was apt to have its chief effect, as the Cavaliers probably hoped, in strengthening the general Presbyterian hatred of the Union. The House of Lords, as a voting body,—not merely the professional lawyers in the House,—were overriding by their tolerance the desires of the National Church of Scotland, as well as the decisions of the Scottish judges. More trouble arose on that ancient diffi-

culty, the right of the Kirk to proclaim national fasts when she thought fit: these fasts had been used for purposes of religious-political agitation, as just before the brief revolution at the moment of Riccio's murder (1566). A clerical deputation, including Mr Blackwell of Aberdeen, visited London (1711), and was courteously received by Harley, who understood the importance of conciliating Presbytery. He "promised the civil sanction" to the fast.¹⁰ Blackwell found that toleration for Episcopalians was threatened, and that Patronage in Kirk livings was, if possible, to be restored. The Kirk, "which God had kept pure so many years," was in peril of "corruption." By January 24, 1712, the Bill for Toleration had been read once in the Commons, and Blackwell, with the veteran Carstares, ran about the city laying "the fatal consequences" before members and Harley. They found that there was a purpose of tacking the Oath of Abjuration (of King James) to the Toleration, a thing not agreeable to Jacobite Episcopalians. Blackwell, Carstares, Lockhart, and others met with the Earl of Islay, brother of Argyll, and Carstares disclaimed any desire to persecute Episcopalians. But he said if the clause in the Bill removing non-Episcopalians from the power of the courts of the Kirk were passed, scandalous persons, by ceasing to be Presbyterians, would evade Kirk censures. Lockhart suggested an ironical motive for Carstares' anxiety, and the clause was dropped. Civil magistrates were not to compel any man to submit to the sentences of Church judicatories,—the day of that tyranny was overpast.¹¹

Meanwhile Blackwell and Carstares waited on the queen, explaining that their own clergy, as well as the Jacobites, had scruples about the Abjuration, as implying, says Lockhart, a tacit approval of the monarch's adhesion to the Church of England,—“a thing contrary to their principles and repugnant to the Solemn League and Covenant, which, they thought, was and would be for ever binding”! The Scots Tory members were mischievously resolved to make the Abjuration as “uneasy” to Presbyterian sticklers as it was to their own clergy. In this they succeeded, and exposed “the little chirking Jesuitical shifts of the godly,” who had thought to remove the burden from Presbyterian shoulders by substituting *which* for *as* in a clause of the Bill. The evasion is hardly perceptible to any but “scrupulous brethren” and metaphysical grammarians, and the brethren were disappointed after all.

Many Covenanting ministers could not take the oath,—“they had no clearness.” Wodrow’s letters are full of anguish; but the Episcopalian Jacobites who could not take it must escape penalties if the non-juring Presbyterians were allowed to escape. A feud arose between Presbyterian jurors and non-jurors, who fought like the Protesters and Resolutioners after 1650. The 1st of August was the “dismal day,” in Wodrow’s phrase, when the Erastian oath of Abjuration was to be taken; and every minister was compelled by the State to pray for Queen Anne and the Protestant succession. The Presbyterians were anxious for the welfare of both, but loathed being constrained to pray as they desired to pray. The oath was a test, and the test was inconsistent, they said, with the terms in which the Treaty of Union had secured the Presbyterian Establishment. All this was quite true, and it seemed as if either the terms of the Union must be broken or the germs of religious toleration must be trampled down. Time and the tendency of thought preserved both Union and Toleration.

Time worked more slowly for the abatement of the fever caused by the restoration of Patronage,—a measure procured by the combination of English churchmen and Scottish Jacobite members, contrary to the desire of Harley. If the lairds, many of them Jacobites, could present ministers to livings, they certainly would not select preachers who believed that the Solemn League and Covenant was eternally binding, or who were especially strict in enforcing Kirk censures. They could hardly expect, in their most sanguine hours, to obtain Presbyterian Jacobite ministers, but ministers less severe and less Covenanting than the Presbyterian non-jurors, or “Nons” as they were styled, might be obtained,—men not so much inclined as the “Nons” to persecute Episcopalians; even men who used the Lord’s Prayer and premeditated their own public supplications, instead of trusting to the inspiration of the moment.

Patronage had passed through many phases since the Reformation, previous to which it had mainly been in ecclesiastical hands, except in the case of very good things, when the great had their way. In Knox’s doctrine each congregation had the right to elect its own preacher, who was inducted after due examination into his life and doctrinal soundness. But we have seen that, within twelve years of the Reformation, patrons were presenting now and then such abandoned villains and hopelessly unqualified men as Archibald

Douglas, who was parson of Glasgow. Wherever there were still any pickings on the bones of the despoiled Church, young men of family were intruded on the congregations, as the Acts of the Kirk against the luxurious practices of such ministers suffice to prove.

The successive conditions of affairs as to patronage in Scotland may be summarised from the work of a competent authority.¹² His book was published during the excitement of the Disruption of the nineteenth century. In the early years of the Reformation parish ministers were appointed not so much to a benefice (often there was no "living"), but to the office of spiritual pastors of the flock which chose them. By the Second Book of Discipline—that associated with the name of Andrew Melville—they were appointed "by the judgement of the Eldership [Presbytery] *and consent of the congregation.*" This was made a strong point: no minister was to be intruded on an unwilling local flock. But the representatives of the original founders and patrons of churches, and also the new layholders of church property, and churches attached to religious houses, chapters of cathedrals, and bishoprics,—“The Lords of Erection” as they were called,—also claimed rights of presentation to these churches, of which the new Protestant ministers did not receive the benefices. Queen Mary had arranged that a third of the benefices should be divided between herself and in stipends to the ministers, who seldom succeeded in getting the money or payment in kind. Under the Regent Moray (1567) the Legislature applied itself to levying and allotting these thirds of the benefices to the ministers; and “the admission of ministers was declared to be ‘only in the power of the Kirk,’”—defined as the ministers, and such of the people as were communicants. The *admission* was in the power of the Kirk, but the “*presentation* of *laic* patronages” was reserved to “the just and ancient patrons.” The presentation to other cures, which had been ecclesiastical and were by far the more numerous, was in 1567 reserved to the Kirk, which could also, in laic patronages, refuse on sufficient grounds the presentee of the patron, who then, if he chose, could appeal to the General Assembly. But it would appear, from the case of Archibald Douglas and others, that in the tumultuous age of the Douglas wars the Kirk had little power of resistance to men like Morton. Then came James VI. with his heritable grants of the great benefices to his nobles and favourites, “The Lords of Erection,” who now were patrons of the benefices or

vicarages that had been in ecclesiastical hands before the Reformation. They paid the stipends of ministers out of their tithes, and presented the ministers.

It came to the point that "one gentleman has right to force a minister upon all the ancient and great heritors of the parish," as Sir George Mackenzie—"Bluidy Mackenzie"—himself declared. There were great abuses, against which remonstrances were vainly made in the Second Book of Discipline, and "liberty of election" by the Kirk was demanded. But this was refused even in that golden charter of the Kirk, the Act of 1592. The patron was to direct his presentation to the Presbytery in each case, and the Presbytery was compelled to admit any "qualified" presentee. In 1612 the presentation was to be directed to the Bishop, no longer to the Presbytery. In the Parliament of 1649, the Whigamore Parliament, lay patronage was abolished: the kirk-session chose the minister, who, if approved of by the congregation, was admitted by the Presbytery. At the Restoration the Act of 1649 was annihilated by the Rescissory Act. In 1690 patronage was again abolished: the elders and Protestant heritors were to choose the minister, subject to the approval of the congregation, subject again to the decision of the Presbytery. By way of compensation patrons were to receive £33, 6s. 8d. from the parish, executing a formal renunciation of their patronage.

The new Act, with which we are now concerned, repealed the Act of 1690, save in the very few cases in which patrons had already made formal renunciations of their rights. The protest presented to the Lords by Carstares, Blackwell, and Baillie¹³ regarded the new Act as a breach of the Treaty of Union. Objection was made that the protest was directed to the peers, and the bishops had to be included in the reference. The Abjuration, the restoration of patronage, and the establishment of a Christmas vacation were all very grievous to the more serious concerned ministers, but they had no longer the vigour for resistance. They had, however, the more popular cause. The Abjuration Oath, though later modified in 1715 and 1719, remained a sore in the body ecclesiastical, and a cause of schism or dissent. But nobody persecuted the Presbyterian non-jurors, nobody evicted them from their manses and glebes. They and their sympathisers rather reviled and rebuked ministers who had "found light" and were "clear" to take the oath. The seed of the Covenant was very

active, and a kind of Cameronianism flourished, under the Rev. Messrs Hepburn and MacMillan, in the south-west.

The career of this minister, Mr MacMillan, a notable figure in those days, is interesting mainly because it throws light on the conditions of life and opinion among the persons who most closely adhered to the old Scottish Presbyterian ideals. John MacMillan is generally said to have been born in 1669 at Barncauchlaw, a farm in the solitudes of the parish of Minnigaff in Galloway. The precise place and date may not be certain, but assuredly MacMillan was a child of the chief centre of the later Covenanters. He went to the university late in life if he was born in 1669, for he did not matriculate at Edinburgh till 1695, taking his Master's degree in 1697. He now broke off his connection with one of the societies of Cameronians, who at this time had no ordained minister. They set a higher value on ordination than Knox had done: a mere "call" from a local set of devotees was not enough in their opinion, though it had sufficed for preachers before 1560. Friends of MacMillan argue that he now united himself with the State Church in the hopes of improving its ideas; besides, in no other way could he become a minister. In 1701, receiving a harmonious call from the parish of Balmaghie, he obliged himself to adhere to "the discipline of the Kirk," and "submit to the judicatories, and the Presbytery in particular,"—promises which he did not keep. He was then regarded with suspicion as a "separatist." One of those who suspected him most was Mr Andrew Cameron, a brother of Richard Cameron, who died "praying and fighting" at the skirmish of Airmoss, leaving his name to the Cameronians. The Moderator at MacMillan's induction was the Rev. Alexander Telfair, author of a pamphlet on the *poltergeist* at Rerrick, where there had been the usual phenomena of movements of objects apparently without physical contact, unexplained noises, flights of stones and furniture, apparitions of detached hands, and fire-raising. Telfair's narrative is unusually well drawn-up, all the evidence being authenticated by the signatures of witnesses, lairds and ministers.¹⁴

The Presbytery still practised Kirk discipline with vigour, but, when subjected to the greater excommunication, gentlemen refused to wear sackcloth and undergo other public humiliations. A piece of church plate, "the MacMillan cup," was later thought to have mystical virtues. "None who was unworthy could look on 'MacMillan's cup' without plain tokens of guilty confusion." In 1702

a fast was appointed throughout the Presbytery, on account of such sins as "manifold witchcrafts and dreadful breach" of the Covenants, also "murders, whereof some are unnatural," Erastian encroachments, and the supineness of "church officers." As to witchcraft, or at least burning for witchcraft, the days of that cruelty were numbered. As late as 1726 Wodrow notes the prosecution of some witches reported by ministers of Ross. "One of them, at death," confessed that she and her set had blinded an Episcopal clergyman,—surely a pardonable act of zeal.¹⁵ In 1697 five witches had been burned at Paisley for enchanting Miss Shaw, daughter of the laird of Bargarran, and there were other sporadic cases later. That versatile turncoat, Sir James Stewart, while Lord Advocate, was a great prosecutor of witches.

Witch-dreading Galloway was thus not much behind the age, except in daring defence of the Covenant and denunciation of Erastian encroachments. His Presbytery not going far enough for him in that way, MacMillan contemned and was deposed by it at the end of 1703. He then tried to ally himself with Mr Hepburn, an older minister of opinions like his own, whose attitude was not precisely that of a separatist, but rather of a *vox clamantis in eremo ecclesiæ*. His conduct, later, at the head of armed parishioners in the Rising of 1715, was ambiguous, and savoured of Jacobitism. MacMillan now dallied with the Cameronians, but in June 1704 formally "acknowledged his great sin in deserting the Presbytery of Kirkcudbright," and promised to "live in subjection to the judicatories of the Church," admitting that his conduct had been "contrary to my ordination engagements." The Commission of the General Assembly, however, did not reinstate him in Balmaghie, and he made his peace with the Cameronians, confessing that he "had displeased the Godly Remnant and greatly offended them" (1706).

He appears to have been ready to submit to any sect or church that could keep him in his manse at Balmaghie, and this his parishioners, backed by the Cameronian armed societies, were able to do, as the civil power did not wish to repeat the method of Bothwell Bridge in the case of a single preacher. As we have shown, Ker of Kersland professes to have led the societies in the direction of Jacobitism at this date (1707-1708). On May 3, 1708, a minute of the societies appoints men to inspect their arms and ammunition, "and the same to be kept private till further

allowance and necessity." A conference was arranged between Hepburn's followers and a committee of which MacMillan was a member.

In MacMillan, when he came over to them, the Cameronians had at last an ordained minister, and could prepare to renew the Covenants at one of their great conventicles for the celebration of the communion (1712). Wishart, Knox, and others had celebrated without having any ordination by the laying on of Presbyterial hands, but the Cameronians were firm on this point. A common was chosen as a place of rendezvous, and all slashing communicants were told to "have their arms in readiness," as if Claverhouse were likely to come over the brae. But the civil authorities were too sensible to interfere, and no muskets were brought to the Table of the Lord. On July 23-27, 1712, the services were held at Auchensaugh, and MacMillan, returning to the defiant method of Cargill, "debarred and excommunicated from this Holy Table of the Lord the Queen and Parliament, and all under them who spread and propagate a false and superstitious worship, . . . such particularly as are takers of the Oath of Abjuration. . . ."

This was by some regarded as a lovable example of "spiritual independence"; to others it seemed as if the devil had entered into the Vicar of Bray. Such was the great "day of Auchensaugh." "There was a very extraordinary rain the whole time of the action," says Wodrow. Nothing came of MacMillan's demonstration: he was not chased by dragoons; his performance was overlooked by the State.

Though the Cameronians were professedly "a peculiar people," they were not peculiar in their dislike of the Union. It would have been difficult to find a class, or even a set of persons, from the Galloway cotter to the almost royal Duke of Hamilton, who had not their grievances—commercial, religious, social, or political—against the Union. As for the Duke,—Duke of Brandon in the peerage of England,—he claimed, *qua* English peer, his right to a seat in the House of Lords. The English Lords resisted. The sixteen elected representatives of the Scottish peers were, they said, at least enough. Of course there was now neither Scot nor Englishman—all were British; but this fact was perpetually overlooked. The Court resented the English Lords' vote, and created a batch of a dozen new peers,—a very remarkable and important precedent. Then came the attempt to help a Treasury, weakened

in the long war about to be ended at the peace of Utrecht, by extending to Scottish malt the tax hitherto imposed only on the malt of England. The Scots denounced this as a fresh infraction of the Treaty of Union: the tax was for military expenses. The Scottish people would be robbed of their modest "tippenny ale," the lairds of their rents in kind, the brewers of their profits. But the tax was passed, with scarcely an English vote on the side of Scotland.

Moved by this oppressive malt tax, Lockhart attempted to procure a universal demand by Scottish members and peers for the repeal of the Union. Harley (now Oxford) remonstrated with Lockhart, who thought that he (Harley) was driving too far and too fast, "and would bring down an old house about our ears." Lockhart defied the royal resentment, which was threatened, and told Bromley, the Speaker, that England would yet have "to pay the pyper" for the malt tax: the Scots would unite in helping any ambitious prince to subvert the constitution. Bromley, however, showed that he well understood the case. The Scots were disunited, and, in fact, much as they all hated the Union, the awful terror of Popery would for ever prevent the majority from whatever policy might tend to restore their rightful king. A meeting of Scots Peers and Commons was held, and even Argyll admitted that he now regarded the Union "as destructive both to Scotland and England."

To Lockhart, in private, the Duke of Hamilton had often expressed his regret that he had taken part in carrying the Treaty of Union, and Lockhart believed him to be sincere. There could be no better proof of the universal sense of the failure of the Union which then prevailed among Scots; and yet, had the question of repeal been placed before them as a practical issue, they would have preferred their present evils to that condition of imminent war and commercial extinction which had menaced their country before 1707. The Duke spoke at the meeting of Scots in London in favour of first introducing a Bill to repeal the Union, and consulting as to further measures if that failed. It was suspected that he intended "to break an egg in the Earl of Mar's pocket." However that might be, Mar warmly seconded the motion. The Whigs present feared that the results might be favourable to the exiled king, but the Union was so unpopular in Scotland that the meeting of Scots members was unanimous. The

party could throw their weight on the side either of the Ministry or the Whigs, and thus make what profit they might. Lockhart, Argyll, Mar, and young Ormiston, two Peers, two Commoners, one Tory, and one Whig, went to see the queen: they were selected in proof of the unanimity of the Scots. The queen expressed a regret that the Scots were dissatisfied, and her hope that they would not have cause to repent their action.

By Lockhart's advice the Bill for repeal of the Union was proposed in the Upper House, where, as he truly predicted, they might "run it near" and make a close contest. The Earl of Findlater, Chancellor of Scotland, and in 1707 a great promoter of the Union (whereby he had become very unpopular), was to make the motion. The Whigs, of course, were profuse in promises to the Scots, which nobody expected them to keep when once, by Scottish aid, they had ousted the Tories. Findlater made his motion with conspicuous uneasiness, abounded in apologetic phrases, and did not conceal his want of the grace of earnestness. The fiery Argyll supplied what Findlater lacked. The Union, he said, "would beggar Scotland and enslave England." As a landowner in both countries he expected to lose his property in the one and his liberty in the other. The Union, far from being a safeguard against Jacobitism, said Argyll, made new friends for the Chevalier de St George, against whom he spoke with a bitterness which disproved that part of his own case. The Whigs had information, or suspected—what was obvious enough—that many Scots peers were merely making, in this attack on the Union, a bid for popularity among their discontented countrymen, and desired nothing less than to break the measure which they had helped to make. The English peers did not exert themselves in debate, so the Bill was lost by but a narrow majority, and the earnest anti-Unionists told themselves that they had carried their point—namely, that a motion for repeal was a motion that might legitimately be made.¹⁶

Argyll did not sign a protest to which his brother, Islay, put his name. The Scots spoke of agitation at home, of petitions against the Union from the constituencies,—but this plan failed, and, in fact, while Scotland tingled with irritation, the Union was obviously regarded as the least evil choice before the country. It had always been so. The mere existence of a Catholic claimant of the crown was enough to win national assent for any alternative, however humiliating and annoying.

In summer, 1713, a new Parliament was summoned. But it was clear to friend and foe that the leaders of the Government, Bolingbroke and Harley, were irreconcilable. Harley had gone some way—how far is not exactly known—towards a scheme of restoring James, but he always wavered and shuddered away from the brink of action. Bolingbroke had gone rather further; and it seems probable, as Bolingbroke says in his cups in ‘*Esmond*,’ that Swift would have accepted a mitre from *la bonne cause*. But Bolingbroke expected James to turn Protestant—a foolish dream of an unscrupulous man. Probably something was lost for Jacobitism by the death of Hamilton in 1712, when he was on the point of supplanting Mat Prior as Ambassador to France. What was expected from Hamilton by the Jacobites if he had lived and gone to France as Ambassador, what Bolingbroke looked for at Hamilton’s hands on this occasion, is not very clear. The conjecture may be made that Hamilton was to overcome James’s objections to changing his faith, and was to smuggle him into England, where he could be produced, at the queen’s side, as a Protestant, and as his sister’s successor on the throne. Though Bolingbroke had committed himself by trafficking with Saint Germain, had compromised himself in case the Elector of Hanover came to the English throne, he knew too much to suppose that the country would accept James if he remained a Catholic. “A man without honour and without religion,” as a contemporary canon of Christchurch describes Bolingbroke, he could not bring himself to believe that James was both religious and honourable; he never ceased to believe that, for three crowns, the king would change his creed; he worked to that end when an exile in France: meanwhile he drank and made love as if Queen Anne were immortal.

On the eve of Hamilton’s intended start to France, Lockhart had a long conversation with the Duke. Hamilton was extremely cautious, but he hinted that there was ground for hope. Something was in view for *la bonne cause*; very important matters were to be touched upon in addition to the ratification of peace. Cavaliers were “to look for the best.” We know what “the best” was. The Duke had never undertaken any journey with so much pleasure: his orders he would carry out, “be the consequences what they will.”

One secret he confided to Lockhart in the strictest privacy,—Lockhart must send to him in France a person in whom he

could absolutely confide, and then be ready to meet the Duke "in whatever part of the world he directed me to meet him." The person needed by Hamilton for his mysterious purpose was "a clever young honest fellow"; Lockhart suggested Sir John Houstoun or Sir James Hamilton. Lockhart then parted from the Duke "with a more than usual concern,—I don't know from what secret impression on my mind."

From Scotland he was summoned by the Duke to renew and continue their late mysterious conversation. But on Lockhart's way south he heard of the fatal duel in which the Duke fell. It may be conjectured that the young gentleman who was to join Hamilton in London before his journey (for that was the final decision) would appear to return in his suite, but would prove to be no Hamilton or Houstoun, but a Stuart—namely, the king—won over to Protestantism by the eloquence of his Grace, and, as a brother and a good churchman, to be secretly presented to, and then publicly recognised by, Queen Anne. The passage in Lockhart may have suggested the Esmond-Castlewood plot to Thackeray: indeed the idea had always been present to Jacobite minds.¹⁷ But *Dis aliter visum*.

The Duke had a lawsuit pending with the profligate and murderous Lord Mohun, and a quarrel, which was deliberately forced on him for party purposes by Mohun, or accidental, occurred at a meeting between the men. Mohun was the challenger, a man with no character to lose, and the Duke did not balk him. They met in Hyde Park, and, according to Lockhart, Mohun proposed that his second, Macartney, and the Duke's, a Colonel Hamilton, should merely look on, and not "join in the dance,"—a practice then usual, as in the Valois Court, more than a century earlier. The Duke, unhappily, was of the opposite opinion. The Colonel fought and disarmed Macartney, and, looking about, saw the Duke and Mohun both fallen. He lifted the Duke, and was carrying him—for a wound in the thigh prevented him from walking—when Macartney picked up a sword and mortally stabbed the Duke from behind. This was the Colonel's story. Macartney was smuggled out of the country by the grateful Whigs. Why did not the Colonel, a brave man, seize Macartney at the moment of his crime? He accounted for that by the condition of the Duke, and by his own loss of presence of mind. The Whigs, after the arrival of George I., "carried Macartney through the trial,"—for he returned, when his

party was triumphant, and faced the law. His acquittal, his party being in power, was certain. Dr Garth was heard by Lockhart to say that Mohun, mortally wounded by the Duke, could not possibly have inflicted on the Duke the fatal thrust, from the collar-bone downwards, as, by the evidence of an eyewitness, the pair never came to sufficiently close quarters for such a thrust, Mohun always breaking ground as the Duke advanced. The Duke's wound was three-cornered, from a bayonet-edged small sword, then a novelty (see Frank Osbaldistone's duel with Rashleigh in 'Rob Roy'), and the only man of the four on the sod who carried a sword of this kind was—Colonel Hamilton. He had dropped his sword when he lifted the Duke, and Macartney seized it and committed the murder. Thus, to give Lockhart's summing up of the evidence, "There's too much ground to believe the Whigs are a set of men who stand at nothing to accomplish their own ends."¹⁸

"Thus doth fortune banter us," says Bolingbroke. A good plot was wrecked by Macartney's villainy.

In the new Parliament of 1714 the serious Tories, friends of a Restoration, were "a much more united hearty set of men" than in the last, but Bolingbroke and Oxford were almost at daggers drawn. "We had not time enough for what we had to do," Swift wrote to Bolingbroke after all was over; and what they had to do is obvious enough. In February 1714 Oxford dictated a letter to Gualtier, informing James that, if he would succeed, he must change his religion. To induce him to change, as we think, was probably Hamilton's important duty. Here, for once, Bolingbroke agreed, at this time, with his colleague. The king replied, unlike his ancestors Henri IV. and Charles II. (a crypto-Catholic), as became a gentleman and an honest man. He had been compelled to leave France for Lorraine; his means of livelihood were unapparent, as he remarks in a letter, but he would neither barter his Mass for three crowns nor even, as his English friends desired, leave any shadow of doubt on his fidelity to his faith. On March 13, with obvious reference to Harley's letter through Gualtier, the king replied, "I remain unalterable in my fixed resolution of never dissembling my religion, but rather to abandon all than act against my conscience and honour, cost what it will." He argued that his adherents could not rely on him if, to please them, he played the hypocrite,—“Where is the man of honour that would trust me? . . . My present sincerity, at a time when it may

cost me so dear, ought to be a sufficient earnest to my subjects of my religious observance of whatsoever I promise them; for I can say with truth that I heartily abhor all dissimulation and double dealing. . . ."¹⁹

James's reasoning was as logical as his intentions were sincere. Though a Stuart, he was a man of his word; but how could his friends, anxious to welcome him as an impious dissembler, believe that they were dealing with a man of honour? History and experience hardly warranted the belief that a prince could be a Catholic yet no bigot, and could make promises which he would not forswear. James's manifesto merely saddened his party: he was, and is, accused of "bigotry," when honesty was his crime, and Bolingbroke, to the last, expected him to change his mind and take three crowns in compensation for a falsehood before God and man. As late as August 1714 Gualtier informed Torcy that Bolingbroke avowed his loyalty to James, "if he will take such measures as suit the honest party in England."²⁰ This must have meant that Bolingbroke would stand by James if he changed or dissembled his religion.

His honour and his honesty were the best points in the character of the Chevalier. Writing privately to his son, Prince Charles, in 1745, he severely rebuked certain duplicities which the prince had rather thought matters of self-congratulation. They were unworthy, said the father, of a gentleman and a Christian. Though educated under a most devout mother, James had no small bigotries: he wished toleration for himself, and was heartily ready to extend it to his subjects. When he had a son, he gave him a Protestant governor,—with the result that in 1745 the prince's religion was "to seek," as one of his followers, Lord Elcho, remarked. Of personal courage he had given undeniable proof at Malplaquet (1709), according to the Duke of Berwick, Dangeau, Saint-Simon, and Boufflers, who, in despatches to Louis XIV., said that he displayed the utmost valour.²¹ He is said to have taken part in twelve cavalry charges, and to have received a sabre wound. He was an affectionate son, brother, and father. Why Thackeray accuses him of intemperance is a mystery, and the only mistress whom legend mentions in connection with him (at Bar in Lorraine, 1714) was certainly not Fanny Oglethorpe.* His manner appears to have

* Mr Henry Wolff appears to rely on local tradition at Bar for the particulars. There are curious errors in his essay, "The Pretender at Bar-le-Duc," in 'Odd Bits of History' (1894).

been shy or stiff,—the result, very probably, of his insecure position, which, with his poverty, exposed him to some humiliations. His mother wrote: “It was true that the princess [his young sister, Louisa], with her engaging air and agreeable caressing manners, pleased better than did the king, her brother, who was too cold. Lord Perth had often told him, when he was a boy, that he ought to obtain by study the affability which his sister had by nature.”²²

Ne fait ce tour qui veult.

James had a heart full of affection: two or three times in his letters he speaks out. But his manner was unpopular, and his reserve was very close. Had he been a Protestant, James would probably have made a most respectable king, but his creed was a fatal obstacle; and he had not the charm which endless audacity, and uncomplaining good-humour in extreme hardships, lent to his unfortunate eldest son. In person he was tall and slim, with eyes curiously like those of Mary Queen of Scots, which gave him in boyhood a pleasant roguish air. But his constitutional melancholy soon betrayed itself in his expression. The Whig pamphleteers accused him of a coldness towards the fair sex which amounted to positive cruelty, while his melancholy was such that “if you tell him it is a fine day, he weeps and says that he was unfortunate from his mother’s womb.”²³ Considerable experience of the fickle friendships of politicians, of protestations which ended in desertions, and the knowledge that his patrons of France regarded him merely as a piece in the game of diplomatic chess, were not apt to produce a cheerful habit of mind.

Such was the prince, as far as we can discern his character, for whom Scotland was to suffer many sorrows. Nobody could be less like the young Charles II.—audacious, gay, and prepared to swallow all religious and political formulæ, from the Covenant to endless Presbyterian sermons. The Jacobite songs celebrated “Young Jamie the Rover”: a more roving blade would have had happier fortunes.

In England, Lockhart and the Jacobites spoke plainly to Bolingbroke. Why had he not “purged the army of men of dangerous principles”—that is, Whigs. Bolingbroke threw the blame on Oxford, whom he hoped soon to remove from the councils of Queen Anne. Lockhart gave his mind to Bolingbroke: his party would now run its own course, but, on sounding his party, he found it half-hearted, and determined to temporise. Bolingbroke, in fact, had captured

the leading Jacobites among the Scottish members. In domestic affairs Lockhart, Mar, and others desired to resume the old Episcopal revenues as a fund for the clergy of their own Church ; but Lockhart distrusted the sincerity with which the English ministry might appear to come into this unhopeful plan. Moreover, the universities had part of the revenues, and Lockhart, regarding the universities as mere seminaries of sedition, meant to take the money away from them. Findlater and Orkney persuaded the queen that the measure would cause a rebellion, which seems probable enough. The queen desired that the Bill should be dropped. Another Bill, for a Commission to inquire into the revenues once Episcopal, died a natural death, as did the Bill for taxing Scottish malt, which, at least, lay dormant for ten years. The affair of the Church revenues shows that Lockhart greatly underestimated the power of the Presbyterians, whom he despised and detested. In conjunction with Argyll, Lockhart played a very modern trick by snatching a division on a Militia Bill for Scotland in a thin House, while messengers scoured the town in search of voters of the Ministerial party.

At this moment Lord Grange, the Hon. James Erskine, brother of Mar, best remembered as the husband of Lady Grange, made an amazing proposal for an oath obliging magistrates, ministers, and all people in office, to abjure the Solemn League and Covenant. Grange was supposed to have meant by this step to revive old Whig sentiment to the pitch of insurrection, in collusion with the Presbyterian leaders. Lockhart, not at the time perceiving Grange's motive, later learned that he was entertaining these wonderfully tortuous schemes. With equal unscrupulousness, probably, a proclamation by queen and council of a reward of £5000 for the Chevalier de St George, *dead or alive*, was issued. This can only have been intended to disguise Bolingbroke's real purpose, but it was a dangerous way of backing his friend. Bolingbroke, with many though vague promises, now prevailed on Lockhart and his party to vote with the Ministry, and allow business to be finished and Parliament prorogued. And then the great day would come, and the queen would be able to secure her brother's succession.

On July 27, 1714, Anne dismissed Oxford from office, and Bolingbroke was all-powerful with her. On August 1 the queen died ; but Shrewsbury and Argyll, with a happy audacity, took their

measures so promptly and well, and Bolingbroke so entirely gave way to timidity, that "the best cause in Europe was lost," as Atterbury cried, "for want of spirit." George I. was proclaimed, and the effigy of James III. was dragged about the streets and burned. He never would, in any case, have been restored as a permanence; but Argyll probably prevented, by his decision, the terrible civil war which would have broken out had Bolingbroke shown more resolution. His conduct, as regards James and his restoration, was imbecile. He drifted into the dangers which caused his fall and exile with no policy at all. The Duke of Berwick, James's half-brother, was at this time (1712-1715) his mentor, and was in touch with Harley through d'Imberville and the Abbé Gualtier at the Court of Queen Anne. Berwick's letters to James, who was at Bar in Lorraine, have been published in the first volume of the Stuart Papers at Windsor Castle.²⁴ A number of other despatches, from the French Archives, are given in Professor Solomon's 'History of Queen Anne's Last Ministry' (1894). They all prove the ineptitude of Bolingbroke, a brilliant man of the world and of letters, but futile as a statesman.

A year before the queen's death Berwick writes to James, "The chief point is to get Oxford to speak plain, for fear of Queen Anne's breaking [dying] before he can pay his debts."²⁵ Again (Dec. 24, 1713), "I cannot imagine that a man of Oxford's sense, foreseeing himself undone in case of Queen Anne's miscarriage, should not think and imagine something to secure himself."²⁶ Oxford *had* "something to secure himself." Among other things, he had a letter which would be fatal to Marlborough. But Bolingbroke, more deeply implicated than Oxford, had no security, nor had he the passive courage of Oxford: he dared not face the storm. Bolingbroke "saw clearly that unless James changed his religion, his restoration was impossible."²⁷ He knew that James would not change his religion. Yet he lived and revelled, without a purpose, without foresight, without preparations. He was to be, for a brief space, James's Minister, with the inevitable and obvious results.

NOTES TO CHAPTER VII.

¹ Lockhart, i. 300, 301; Burnet, v. 403-409; Parliamentary History, vi. 794-798.

² Lockhart, i. 312-317.

³ The right reading is "bought," not "fought," the Scots, as in Sir Henry Craik's 'Century of Scottish History,' i. 65. Lockhart, i. 327.

⁴ Wodrow, Correspondence, i. 41.

⁵ Wodrow, Correspondence, i. 79-81.

⁶ The Case of the present Afflicted Clergy, 1690, Burton, viii. 218, note.

⁷ Lockhart, i. 340-348.

⁸ Wodrow, Correspondence, i. 91.

⁹ Wodrow, Correspondence, i. 138.

¹⁰ Blackwell's Letters, Spalding Club Miscellany, i. 198.

¹¹ Lockhart, i. 379, 380.

¹² Dumlop, Parochial Law. Third Edition.

¹³ Parliamentary History, vi. 1127-1129.

¹⁴ Modern Sadducism : London, 1695.

¹⁵ Wodrow, Analecta, iii. 302.

¹⁶ Lockhart, i. 428-436; Parliamentary History, vi. 1215-1220.

¹⁷ Lockhart, i. 408-411.

¹⁸ Lockhart, i. 401-410.

¹⁹ Macpherson, ii. 525, 526.

²⁰ Mahon, History of England, i. 88 : 1858.

²¹ Haile, Mary of Modena, p. 411 : 1905.

²² Haile, Mary of Modena, p. 432.

²³ Hue and Cry after the Pretender, 1716.

²⁴ Historical Manuscripts Commission.

²⁵ Stuart Papers, Historical Manuscripts Commission, i. 271.

²⁶ Stuart Papers, Historical Manuscripts Commission, i. 287.

²⁷ Stuart Papers, Historical Manuscripts Commission, i., p. liv.

CHAPTER VIII.

THE JACOBITE RISING.

1714-1715.

IN the event of the failure of romantic schemes for carrying James, with a price on his head, to England, reconciling him with Queen Anne, and presenting him to Parliament, Berwick had thought that the king should hurry to Scotland as soon as the queen expired (Dec. 24, 1713). De Torcy promised to have ships in readiness. It was then expected that England would pay the dowry of Mary of Modena, and the money would be used for the invasion.¹ But the dowry was never paid : seventy years later it was asked for in vain. Mary had sold almost all her jewels ; money was vainly hoped for from the Pope ; the gold of the King of Spain arrived in December 1715, too late to be useful ; and the presents given by Marlborough amounted to only four thousand pounds. Never was there a more hopeless enterprise than the Rising of 1715. High hopes of money and men from Charles XII. of Sweden arose, and were dashed in the usual style. On October 20, 1714, James sent a message to Scotland which clears up the nature of his position at that time. On October 4 he had sent news that he had been making all diligence to appear among his friends when he heard that Atholl, whom he looked on as the head of his party, had gone to pay court to George. Breadalbane had induced the chiefs of the great clans to send to Mar a letter in which they expressed their fidelity and submission to the Elector of Hanover. No doubt James was well informed, and Mar, though pointedly neglected by George, forwarded the letter of the chiefs whom he was presently to lead in the Rising of 1715, if Mar can be spoken of as a leader. James thought that Mar's present step was only intended for their immediate security,

but the Bishop of Edinburgh, speaking for the Lowland gentry, advised him not to stir. Meanwhile he expressed vague hopes, and a resolution to break "the shameful Union."² Late in November 1714 Berwick advised James to tell his friends in Scotland that he was resolved to be with them, accompanied by Berwick, whose military reputation would have made all the difference to his prestige. At the moment James was negotiating with adherents in England, "without which little good is to be expected." Meanwhile the Scottish Jacobites must keep quiet, and avoid exciting the suspicions of the Government, as some tipsy revellers in Edinburgh probably failed to do by their nocturnal proclamations of King James.³

The chief friend in England was the Duke of Ormonde, who was believed to have great influence with the soldiery. Ormonde, through a Mrs Bagnal, one of the fair intriguers whose name was legion, had in 1713-1714 given some kind of pledge to James. On January 1, 1715, Berwick was not unhopeful of a joint effort by his uncle, Marlborough, and the Duke of Ormonde, though he might have known his uncle's character better. He had, indeed, been neglected by George I., and he had sent to James a little of his savings, but, a traitor to the father, he would not risk himself in the forlorn cause of the son. On January 6 Berwick induced Lady Jersey (*la jolie*) to engage Bolingbroke as James's agent in England. Though Marlborough's letters contained "only the usual bantering expressions," he still sent small sums of money during the summer of 1715, and the best use was made of them in paying the crews of the ships which had been secured.

Meanwhile Mar was in correspondence with Glengarry and the Highland chiefs (February 15[-26], 1715).⁴ He congratulated them on the seemliness of their recent behaviour, and was employing Campbell of Glendaruel, by no means a gentleman of Hanoverian principles. Mar, who had been Secretary for Scotland, on August 30, 1714, sent a letter of humble loyalty to George. Though pointedly neglected by that prince, he was "his most dutiful, most obedient subject and servant."⁵ He had brought the Highlands to make a protestation of their allegiance, and he hoped, vainly, for reward.

Meanwhile money was sent to Ormonde in England, and, on March 13, 1715, James appointed him Captain-General in the three kingdoms. His commission arrived safely in April, and Berwick hoped that the Duke would determine to "stand butt" (*sic*: prob-

ably "stand buff") "in England against the Elector."⁶ The Swedish scheme was in hand (March-August 1715), and only swelled the list of disappointments. It was hoped that the celebrated Protestantism of Charles XII. would pacify anxious minds in England. Dreams of exiles! Berwick (February 17, 1715) thought that Ormonde was expecting James "to carry with him that able lawyer, M. Alexandre," that is, an army of invasion, which was impossible, as France would not imperil the peace, though ready to connive at private enterprise.⁷

In April, James's proposed agent in England, Bolingbroke, arrived in Paris after a hasty flight from London. *La jolie*, Lady Jersey, was now "of no use, however well-meaning."⁸ Ormonde, Berwick said, would have to care for his own preservation: it was hoped that he would "stand buff," as we have seen, but, as he would not dissemble, and distrusted his own power of raising the west against George, he, too, some months later, made his way to France. Even before this collapse of hopes, Berwick (July 2) found that the French Court would not permit him, a field-marshal of France, to accompany James in his little invasion.⁹ Here a curious point must be explained. In 1715 there arose a fatal breach between James and that great soldier and good man, his natural brother, the Duke of Berwick. In October 1704 Berwick, with the permission of James, a boy of fifteen, was naturalised as a French subject, and became a *Maréchal de France*. As such he must obey the ruler of France, not James; yet, in 1715, James displays a seemingly unreasonable irritation because Berwick obeys the Regent d'Orléans, not himself. The fact is that, in 1704, Lord Caryll, acting for James, consulted an English lawyer, Robert Power, who gave the opinion that Berwick's naturalisation in no way relieved him of his inalienable duty to King James. The documents are given at the end of this chapter. Thus James remained convinced that, under the saving clauses of his permission to Berwick to be naturalised, he retained Berwick's allegiance, when his claim clashed with that of France. James now remonstrated with the Ministers of Louis XIV., who suggested that Berwick might steal away after James's own departure. On July 14 Berwick wrote to the effect that it was now or never, James must cross the Channel. Louis XIV. would regret the missing of this opportunity. Already James had met Bolingbroke (who thought him eager but vague, as was natural), and appointed him Minister.

Now we come to the very crisis of the enterprise, the main cause of all the ruin. On July 16 Berwick wrote to James saying that "his honour was at stake, his friends will give over the game if they think him backward, as no doubt they will. In short, no delay must come from his side."¹⁰ On July 19 James told Bolingbroke that he had good news from Ormonde: "You will see the necessity of losing no time." On the same day Berwick had received the "good news" which James had sent off to him, through Father Innes, and was aware that James was to start on July 28, and had appointed the Rising for August 10. He would be at Dieppe by July 30. Berwick asked whether August 10 was Old Style or New Style,—there was every chance of fatal confusion. Moreover, said Berwick, they ought not to fix a day without hearing more certainly from Ormonde. James was acting, we shall see, on news from a certain Father Callaghan, not evidential. Now, on July 14 Berwick had told de Torcy that James must act at once, adding, in the spirit of prophecy, that otherwise "he might make himself Cardinal, for he would never be king."¹¹ What really occurred was this: James, having been urged by Berwick to instant action, on receiving news from Ormonde through Father Callaghan, did act on it at once, without waiting to consult Berwick and Bolingbroke. He sent, about July 15, a messenger to Mar in London, fixing August 10 for the Rising, and Berwick knew this by July 19. But by July 26 James had received a memoir from Mar and Ormonde of a tenor very different from Callaghan's message from Ormonde, on which he had acted by fixing August 10. This Callaghan was a Dominican, a man of good sense, says Berwick, and Berwick admits that he did come from Ormonde with the message to start at once. The initial fault, it thus seems, was with Ormonde.¹²

James may well have been puzzled and provoked. Now he was told that he could not be too prompt, and again, that he could not be too cautious. Was he so incautious and so furtive as to bid Mar raise the standard without communicating his action to Bolingbroke and Berwick? Berwick says¹³ that Mar, *in September*, received a secret order from James to go to Scotland at once and take up arms. "Neither Bolingbroke nor I knew anything of this, though we were the king's chief Ministers." But Mar went, it is known, to a levee of George I. on August 1: he retired to Scotland on August 2, he held a large gathering of chiefs on August 27, and raised the standard on September 6. All this cannot have been

done in obedience to a secret order of James received in September! Now, after he had raised the standard, Mar produced a commission from James dated September 7, and with a blank for the names of his Council, "not to be filled up," he said, "unless there be an absolute necessity for it."¹⁴ Such a commission, of September 7, did not prompt Mar's measures of August 2–September 6. On September 23 James wrote to Bolingbroke hoping that the Scots would wait for a despatch from himself. It is suggested that he merely meant to deceive Bolingbroke;¹⁵ but we need not resort to so deplorable a theory merely on the evidence, certainly erroneous, of Berwick's Memoirs. Nobody ever knew what commission, if any, Mar had from James before that of September 7, which was partly in blank until circumstances required it to be filled up.¹⁶ If news reached Mar in July (not in September, as Berwick says) that James was to be at Dieppe on July 30, and that he had fixed August 10, and that message *was* sent, certainly Berwick blundered in his dates. Memoirs are most untrustworthy sources, but James's character suffers for Berwick's misstatement.

The haste of James, in the circumstances described and under the urgency of Berwick, was natural but mistaken. But by July 26 he had, as we know, a new despatch, from Mar and Ormonde, of July 5-16,—a paper showing that Ormonde and Mar saw nothing but difficulties in the enterprise which Berwick was then urging James to undertake instantly. There was no chance of success, English Jacobites were unanimous in holding, unless the king came with a regular army. In a month or six weeks George could put 32,000 good troops in the field. If James meant to come with no army and risk all, he should arrive at the beginning of October, and a choice of places—at Holy Island, at Alnwick, in Forfar, or near Aberdeen—was suggested. The Highlands could supply 8000 good men, but, if unpaid, they would live on the country and ruin the Cause. It was hoped that James would go to a Protestant church every Sunday,—a thing out of the question. If the king judged the occasion ripe (and they had proved that it was the reverse), Mar and Ormonde would back him. Charles Kinnaird carried this important despatch.¹⁷ There came, too, on July 26 a letter from Bolingbroke at Paris, of July 23. He affected to be surprised that "women over their tea" prattled about "arms provided and ships got ready," as if in any society, above all in a society full of excited priests and women, any such

measures could long be kept secret. The English Government already had ships cruising on the French northern coast. Bolingbroke suspected that Father Callaghan was a spy: he was not, according to Berwick. Callaghan's message from Ormonde was, in terms, the reverse of what Ormonde said to the French ambassador in England, Bolingbroke remarked; but Ormonde's moods varied from day to day.¹⁸

On July 26 James answered Bolingbroke's letter of July 23, applauding his "solid reason," and enclosing, for what it might be worth, a warrant for an earldom. He was puzzled by Bolingbroke's cypher, however. He sent back Kinnaird, the bearer of Mar's and Ormonde's memoir, with that discouraging document. If Bolingbroke and Berwick were doing their best, though he wished to set out he would leave himself in their hands. He adds, and this is important, "*What requires most haste now is the sending to Scotland to contradict Lord John Drummond's message.*" Now what was that message? The MSS. do not inform us. But it must have been James's message urging on Mar an early rising, on the strength of Callaghan's news from Ormonde (about July 15). Thus by July 19 James's hasty message was known to Bolingbroke and Berwick, despite the statement of Berwick in his Memoirs. James was, on July 26, giving pressing orders for it to be countermanded more than a month before Mar raised the standard on September 6. Berwick knew perfectly that James had fixed August 10, as we have seen. He knew it by July 19.¹⁹ Bolingbroke also knew it, and now actually sent Allan Cameron to Mar to give countermanding orders, as James writes to Bolingbroke on August 2, adding that nothing can yet be settled.²⁰ The king's character is thus cleared from the double charge of folly in ordering too early a rising, for he at once countermanded the order, and of perfidy in hiding what he had done from Bolingbroke and Berwick. As we shall see later, some accident delayed Cameron, and Mar raised the standard on September 6. This also was an act of unpardonable folly. After despatching the memoir of July 6-17 from himself and Ormonde, pointing out the hopeless condition of affairs, Mar, obviously, should not have acted on James's hasty message of about July 15 fixing the day for August 10. Mar should have waited for a reply to his own despatch of July 6-17. He cannot have been ignorant, long before he raised the standard, of Ormonde's flight to France of about August 2 or 3; and knowing that the

English Jacobites were now leaderless, he did an insensate thing in raising the Highlands in September.

The blame of all the ruin and misery falls on Ormonde if he sent Callaghan, as Berwick says; in some degree on Berwick for suggesting that James's honour was at stake; on James for acting instantly on July 15, four days before his report to his Ministers; and above all on the stupid recklessness of Mar, who set out for Scotland in face of his own unanswered despatch of July 6-17, and who persevered in spite of Ormonde's secession. Finally came the accident to Cameron, delaying James's second message to Scotland.

These causes produced the premature movements and the wretched fiasco of 1715.

To touch on a personal matter: On August 2 James casually annihilates Thackeray's tale that "Queen Oglethorpe" was his Sultana and ruler at Bar, in Lorraine. Writing from Bar, he says to Bolingbroke, "Here is a long letter to myself from Mistress Oglethorpe. The first part is very odd, and I can make no answer to it without your advice. The rest of it is most of it stuff." On August 3 Bolingbroke reports his despatch of Cameron to Scotland "*to prevent any precipitate measure.*"²¹ Bolingbroke had met Berwick, and communicated everything to him. De Torcy was promising help with Louis XIV.; the Court of France was as favourable as it dared to be. Meanwhile (August 5) Bolingbroke agreed with James's opinion of Miss Oglethorpe's political letter. The lady had herself invented part of it (such is apt to be "pretty Fanny's way"), and was communicating in the other part the ideas of a person who had put himself in a position where he could be of no service.

The Oglethorpe ladies were said by the Whigs to be the sisters, or one or another of them was declared to be the mistress, of James. They were all pretty; they were all loyal; and as late as 1754 were engaged in the most romantic and dangerous Jacobite plots.²² But the letters both of James and, later, his son show that the Oglethorpean counsels were regarded as tedious and ludicrous, though, as Bolingbroke remarks, "it is certainly right to disgust nobody" by excess of candid criticism.²³

James was impatient to be doing something; but with the sad lucidity of his character and experience, he thought Bolingbroke and Berwick much too sanguine in their expectations from the French king, who, as Queen Mary writes to Dicconson, "is. I am

confident, neither in a condition nor a disposition of giving any succours.”²⁴ The king’s mother, at Saint Germain, was poor and very ill. He had promised not to move for a month, but after that, as the discontents in England and Scotland were great (sentimental tumults on James’s birthday), he was disposed to risk all by the venture of his single person (August 6). He believed that his secrets were safe, being known only to himself, Bolingbroke, Berwick, Middleton, Sir Thomas Higgon, and the queen. His subjects at home detested Middleton, and what the queen knew might reach priests and ladies. James suspected that one Ogilvie, “who had formerly enough the air of a spy,” was hovering about, —possibly Harley’s spy, Ogilvie, one of Dundee’s officers.²⁵

On August 7 Bolingbroke said that James was probably aware of the arrival in Paris of Ormonde, who had fled from England. Ormonde had let the party know of his resolve, in case of danger, to retire to the west of England, where he would be joined by many retired officers. He had relays of horses on the road, and intelligence with the towns of Plymouth, Exeter, and Bristol, which he meant to occupy as *places d’armes*. Berwick believes that he might have succeeded, and even been joined by part of the English army, so generally beloved was the Duke ; but, though very brave, genius and knowledge of war were lacking to him. Ormonde heard that he was to be arrested, and fled to the coast without leaving even a message for his subordinates.²⁶ Ormonde’s flight discouraged the French Court. It had been admitted that he and the English Jacobites were indispensable to the enterprise. Yet Bolingbroke (August 7) could tell James that while Marlborough was wavering, Shrewsbury had been engaged, “which I think a considerable article.” If this be true, Shrewsbury was the most vacillating of politicians.²⁷ James was writing (August 11) to Mar, apparently in ignorance of his movements in Scotland. Indeed Mar had not yet (August 11) gone farther than Fifeshire, where he met some friends, and whence he went slowly northward to Braemar.²⁸

De Pontchartrain hoped to have ships for James ready by the end of August, so Berwick wrote (August 13). The whole state of affairs, in fact, demanded the cessation of the crazy enterprise, above all as the health of Louis XIV. already caused Berwick and Bolingbroke anxiety. But Berwick thought it wise to set Miss Olive Trant, a Jacobite beauty, “to make the overture” to the Duc d’Orléans, who would be Regent if Louis died. Bolingbroke, in

his famous letter to Sir William Windham, speaks of Olive Trant's intrigues as if he was a disgusted spectator, whereas we see that the girl was the chosen instrument of his own associate, Berwick. But d'Orléans never allowed his mistresses to have knowledge of or influence in his political enterprises.²⁹ It is probably not Miss Trant to whom Bolingbroke himself refers (August 15) as one who "has as much ambition and cunning as any woman I ever knew, and perhaps as any man." She suggested a marriage between James and a daughter of d'Orléans, and Bolingbroke thought that there was something serious in the idea. "I would have even the pleasures and amusements of my life subservient to your Majesty's service." It appears that this lady was one of the pleasures and amusements: she expressed "personal concern" for the statesman.³⁰ It may be remarked as a proof of the wisdom of these politicians that their cypher in Arabic numerals was of the flimsiest, and could have been read by any curious schoolboy. The worst news was that an accident had befallen Cameron, who carried the message to countermand Mar's Rising, and Kinnaird was afraid to go to Scotland.³¹ This "accident" probably, by delaying the arrival of Cameron's message to Scotland, was the chief cause of Mar's premature venture. Bolingbroke now convinced James that Shrewsbury would stand by him—it seems to have been Lady Westmoreland's news: the ladies were very eager.³² The Duke of Leeds offered his allegiance,—“a madman,” said the sensible Bolingbroke. On August 30 he announced the death of Louis XIV.,—another fatal blow, if a *coup de grâce* were needed.

There was a gleam of light from the South. Spain was to furnish 400,000 crowns; but the Spanish bills could not be negotiated in France, and the specie was for three months on the road. The new Regent, d'Orléans, wished to be friendly, but could not risk a war with England. On September 3 James Murray informed the king that Mar was in Scotland, but was very uneasy because he had no authority to act. He asked for a commission with a blank space for the names of his coadjutors, and this he called, when he received it, his "new commission." He had no previous commission, as was suspected in Scotland at the time. He thought that Atholl should not be trusted. As usual, Atholl's son, Lord Tullibardine, "went out," while the Duke remained true to the Hanoverian cause. For five hundred years almost this arrangement had been "common form" in Scotland.³³ Mar could rely on the Earl Marischal,

brother of the James Keith later so famous as Field-Marshal of Frederic the Great. The Earl Marischal was, for forty years, to be a prominent Jacobite, who never did anything in particular, and was always expected to do everything. A humourist and a philosopher, he ceased to believe in the Cause long before he deserted it.

Bolingbroke began (September 10) to express a kind of despair of action. Messages to England and Scotland were intercepted; the party in France and at home were in the dark. Mar was beginning to move in this fog, and we must leave the conspirators in France to follow his operations in Scotland.

He opened with a great hunting in Braemar (August 26), at which Huntly, eldest son of the Duke of Gordon, the Marquis of Tullibardine, Nithsdale, Marischal, Traquair, Errol, Southesk, Carnwath, Seaforth, Linlithgow, Kenmure, Strathallan, Ogilvie, Nairne, Glogarry, and others, are reported to have been present. From Galloway to Knoydart, from Ken to Dee, chiefs and nobles were gathered, but their names no longer meant what they did in the days of Mary and of James VI. Mar made a speech full of flourishing promises of arms, money, and the king's arrival, and is said to have shown the commission for want of which, we know, he was "in great uneasiness."³⁴ His audience went home to raise their men, and the standard was set up at Braemar on September 6. Marischal proclaimed the king at Aberdeen, Tullibardine at Dunkeld, Graham of Duntroon at Dundee, and Brigadier Mackintosh at Inverness. Mar (September 9-20) found his own tenants especially reluctant to rise, and threatened to burn their houses.³⁵ This was the process known as "hounding out,"—that they were "hounded out" was the usual plea of the Highland prisoners at their trials. At Inverness Mackintosh, with 500 men, seized and garrisoned the bridge over the Ness, securing communications with the northern counties, where Sutherland, the Mackays, and the Munros were Whigs.

To surprise Edinburgh Castle was an inevitable part of every Jacobite plot, and on September 8 Lord John Drummond made the attempt. Some of the garrison had been won over to let down rope-ladders from the wall on the west side. In case of success, three rounds of artillery were to be fired in the castle, and beacons were to telegraph the news to Mar. A Mr Arthur, who was in the plot, told his brother, whose wife wormed the secret out of him

and sent it to Cockburn of Ormiston, of a family active on the godly side since 1559. Ormiston was Lord Justice-Clerk, and, whether in the way described or another, he got the news, and sent it to Colonel Stuart, commanding in the castle. The conspirators were surprised while arranging the rope-ladders, and the assailants fled, leaving a Captain Maclean, bruised by a fall. Two or three others were captured. They were probably drunk. According to a well-known story, they had dallied, "powdering their hair," at a tavern, and had overstayed the appointed hour,—a circumstance natural and usual, but regretted by all friends of romance.

The proceedings of Government, in the way of preparation, were more prosaic if more successful. It was not difficult to succeed against opponents who knew not their right hand from their left. A reward of £100,000 for "the Pretender," if he tried to land in the country, had for a year been offered. This, as Prince Charles observed thirty years later, was a measure unusual among Christian princes. Conceivably the knowledge that he was priced at this flattering sum may have determined James to his very undignified flight from his own army in the following year. Such offers of reward were thrown away upon the native rectitude of the clans, but were tempting to Presbyterian ministers like the two Macaulays later, and to Lowland and other adventurers. At the end of July Robert Walpole had moved an address to George I. on the topic of national defence. Supplies were voted, and a hasty attempt to double the regular army in England was made by levies of 7000 men, in addition to 8000 under arms. Mar and Ormonde, in July, had reckoned the English army at 8000, and to these they could have opposed as many of the clans, without artillery, and with but a few Lowland horse. But they calculated that George would bring 24,000 from Ireland, Holland, and Hanover, and volunteers behind stone walls would be useful.³⁶ In Scotland, Government had less than 2000 regulars, whom General Wightman concentrated at Stirling. The castle there was impregnable to the clans, save by surprise, and "Forth bridles the wild Highlandman." The fords of Frew are dangerous and are easily guarded, and Mar was no Montrose to march and turn the river in difficult country, guarded by the clan of Argyll.³⁷ Montrose would have begun, as of old, by "discussing Argyll," not now such an easy task when Red John of the Battles, not Gillespie Gruamach, led the children of Diarmaid. The Macgregors of the Lennox were, indeed, reckoned

among Mar's allies, but the notorious Rob Roy was a client of Argyll, receiving "wood and water" from him, safe from the law in his cottage in Glenshira, and quite untrammelled by any regard for either king. The nameless clan owed no goodwill or loyalty to any Government, and, as far as influenced by Rob Roy, consulted solely its own interests.

The westland Whigs and Presbyterians were checked in their desire to form armed associations in defence of their liberty and religion: the same distrust was exhibited by England in 1745. But Edinburgh, Glasgow, and other towns raised companies of volunteers, and the men of pleasant Teviotdale armed, though, degenerate Borderers, they "made but a faint appearance" when it came to business.³⁸ On September 9 Argyll left London for the north as commander-in-chief, as well qualified by courage, skill, and experience for the post as Mar was conspicuously the reverse. The preachers acted as recruiting officers, and the westland Whigs were eager to meet their old oppressors of the Highland host. Under Ferguson of Craigdarroch they marched to support the regulars at Stirling and to garrison towers commanding the line of Forth, while the Duchess of Hamilton lent her tenants to the cause not favoured by her late husband. The Whig nobles were Argyll, the Duke of Douglas,—who had little or none of the old Douglas power,—Morton, Roxburghe, Annandale, Stair, Loudoun, and others. Suspected nobles and gentlemen were summoned to appear at Edinburgh, among them Campbell of Auchenbreck, Campbell of Glendaruel of the Breadalbane kin, and Campbell of Lochnell, the first cadet of Argyll, for the Campbells were by no means universally subject to their chief, and the House of Lochnell, as long ago at Glenrines, was often in opposition. Out of some sixty gentlemen, only two surrendered, one of them being Lockhart's ally, Sir Alexander Erskine, the Lord Lyon of the Herald's Office. Lockhart had provided horses and arms, but found himself little trusted by the military leaders, and, for various confused reasons, was now in prison, now under surveillance. His brother led his men, and was later taken prisoner and shot, dying with grace and courage.³⁹ In England vigorous measures were taken, and suspected gentlemen were locked up.

Meanwhile Mar learned that Rothes, with the Whigs of Fife, was marching to occupy Perth. He himself had about 1000 men at Dunkeld. Tullibardine's Atholl contingent, with the aged

Breadalbane's from Glenorchy, came in, some 2000 under Glendaruel and Glenlyon, and joined him. He sent John Hay, brother of Lord Kinnoull, to seize Perth, which was easily done, and Mar was master of the east, from Fife to Aberdeen. Perth was his headquarters till the end came, and with Huntly's, Seaforth's, Marischal's, Mackintosh's men, and the clans of the west, he is thought to have been at the head of 12,000 broadswords.⁴⁰

Montrose or Dundee never had such an army, and, with Montrose or Dundee to lead, they would soon have taken Edinburgh and joined hands with the Jacobites of Cumberland and Lancashire. But Mar dallied, probably awaiting James, whom he expected to come with supplies, on which the English Government caused the Regent to lay an embargo. Mar's delay was another piece of fatal folly: James might as well have been awaited at Edinburgh or in England. On the other hand, the dilatory Mar allowed the enterprise to be wasted and ruined before the king came, and added his melancholy to the general sense of discomfiture.

It is not uninteresting to know what a private citizen thought of the aspect of affairs, which in Scotland was certainly not encouraging to Whigs, in September-October. Wodrow was reckoned nervous,—“a feared fool,”—but writes, “The Providence of Scotland's God has been adorable at this very juncture” in causing the death of Louis XIV. This was one of “the *magnalia Dei* in behalf of poor Scotland”—that is, of Whiggish Scotland. Louis being dead, Wodrow could not understand the action of Mar, except on the ground that he had committed himself and wanted company in his situation. Wodrow was much comforted by the western volunteers at Glasgow, and by the permission of the Regent to Byng to search ships coming from Havre to Scotland. On the whole, considering that Argyll had not 2000 men, and that the minister of Eastwood was naturally anxious, he took a sensible view of the posture of affairs.⁴¹

Meanwhile, in September, James and Bolingbroke knew little of what was occurring. A mournful message to England was carried by Ezekiel Hamilton. The Regent had caused the ships at Havre to be unloaded of their arms and supplies; the money from Spain was likely to be long delayed, but the king would go to Scotland at all hazards if the Highlands had really risen, which was uncertain. By September 23 James still hoped that the Scots would do nothing hasty, as has already been shown, in reference to the

delay of his message of the end of July.⁴² He had never believed in the Swedish aid: money had been wasted in that quarter. "The Swedish king's reply is both reasonable and unanswerable, though very unfortunate for me," remarks James, with his natural sad lucidity. An adventurer who hopes for little and regards a disappointing reply as unanswerable because it is "reasonable," is obviously not born to success in politics. "On the whole, I must confess my affairs have a very melancholy prospect." He did not see how the Regent could possibly avoid stopping and unlading his ships—in short, James saw things as they were, clearly and with resignation. But he conceived that honour demanded his presence in Scotland.

To the world James will ever be the witty, wild, faithless, amorous prince of Thackeray's creation. We see what manner of man he really was,—not one who played tennis or tipsified himself with ratifia in the company of "Queen Oglethorpe," but a sober, diligent, reasonable, sad young man; affectionate, depressed, true to creed and honour. Bolingbroke was more sanguine than James, and Berwick seems to have put more faith than Bolingbroke in letters describing the apprehensions of the English Government and a fall in stocks. To Bolingbroke the writer of the letters seemed to possess more zeal than knowledge, and more imagination than judgment. Even now (September 25) Mar's commission was dubious, and Bolingbroke desired that one should be drawn up "with a blank for the commander-in-chief." As Berwick did not mean to appear, the blank could not easily be filled up. Mar was incompetent, and probably the titled Jacobites would have declined to serve under Glengarry. Bolingbroke looked forward to the rise of "a new set of compounders with Government," nor was he deceived.⁴³

Meanwhile Berwick insisted that James must depart instantly for Scotland: the journey through France might not easily be accomplished in safety. Berwick would be "sensibly mortified" if not permitted to follow the king.⁴⁴ James replied that nobody could hinder Berwick from going if he wished to go. Berwick (October 7) answered that he "was not his own master." Now James, for the reasons already given (p. 175), regarded his brother as his subject: this difference of opinion was incurable. On October 7 Bolingbroke declared that the Regent would certainly connive at James's proceedings. Otherwise, if James were in England or Scotland he

would be cut off from all communication with the Continent ; only the connivance of the Regent could avert that danger.

Ezekiel Hamilton now came back from England with a message that Ormonde must land in the west (October 10). James said that Ormonde could not start before he went himself, and that Berwick, having become "incomprehensible," must be left out of the knowledge of their plans. He thought Berwick the cause of the French distrust of him—probably without reason ; but Berwick does appear to have misdoubted the king's resolution, though, in some private letters, he describes his difficulty in holding James back. "I fear I shall scarce be able to hinder him [James] from passing the sea," Berwick wrote. Bolingbroke had inklings of an English plot to seize James on his way to the sea, which he frequently dwelt upon (October 18). There was still no news from the Highlands. James must travel in disguise, and conceal his route. "Stair has people on most of the roads," ill-favoured ones (October 21). On October 21 Berwick declined "to obey your Majesty's commands," *sans phrase*.⁴⁵ For some reason (October 23) James thought he had cause to be pleased with Mar, and to make him a duke and absolute in command. After Berwick's explicit note he could trust him no more: "He will not, I dare say, expect it." A spy now reports that an Irish Protestant, Kelly, has left for Bar on a mission to kill King James. The spy himself does not believe that either George or his Ministers "has a share in so execrable a design."⁴⁶ But Bolingbroke continued to fear that Stair had a design of kidnapping James, at least. "His spies are on every road." The Duke of Berwick (November 3) had consulted "lawyers and casuists," and found that these interpreters of law and conscience would not permit him to obey his brother. Meanwhile (November 4), one Maclean, a colonel in French service, had betrayed Ormonde's designs to the English Government: they had seized persons and places on which he relied. He was aware, however, of Maclean's treachery.⁴⁷ On November 8 James was at St Malo.⁴⁸

Saint-Simon's narrative of James's journey across France is interesting. The Regent, to satisfy Stair, sent two officers of the Guard, with two sergeants, to Château Thierry, where the English ambassador knew that James was to pass. They had orders not to see the king, but Stair took his own measures. James secretly left Bar and visited his mother at Chaillot, sleeping at a *petite maison*,

placed at his disposal by Lauzun. The meeting of the son and mother must have been sad indeed: they were tenderly attached to each other, and the queen's life had been a series of sorrows, disasters, and disappointments. Next day (Nov. 1) James drove along the Alençon road, tracked by an Irish Colonel Douglas, also driving, accompanied by two men armed and on horseback. At Nonancourt, a village between Dreux and Verneuil-au-Perche, Douglas stopped at an inn. The woman of the house, whom Saint-Simon knew, was moved to suspect that Douglas meant no good to the occupant of a chaise about which he made anxious inquiries, and all France now knew that James had left Bar and was on the road. Douglas left the inn with one of his men; the other, with one who had just joined him, remained in the tavern. The woman persuaded one of this pair to go to bed after a protracted supper, and then went out and borrowed the costume and wig of an abbé from a friendly priest. Her chief servant drank with the Englishman who sat up till that worthy philosophically reposed beneath the table. Meanwhile the woman ascertained that the other Englishman was asleep, and locked the door of his room on the outside. A servant, placed as sentinel, announced the approach of a chaise accompanied by three mounted men. The passenger was King James, whom the woman took to the house of a female friend, and there concealed him and his three companions. The next step was to induce a justice to arrest on suspicion the two Englishmen at the inn. They made a noise and invoked the English ambassador, but from him they had no credentials, and they were locked up. What became of Colonel Douglas is uncertain: he was met here and there on the highways asking questions. After three days James, dressed as an abbé, set out in another chaise, and arrived at St Malo in safety. Douglas, who had been on the best of terms with the Regent, lost credit and disappeared, leaving his wife to live on charity.

To authenticate the tale Saint-Simon adds that Mary did but invite the woman of the inn to Saint Germain's, and gave her nothing but her portrait,—a horrid instance of royal ingratitude. Mary had nothing to give: she had sold all her jewels except two rings. "Nobody can tell what the poor woman's expenses were," and, indeed, except for wine enough to intoxicate a Briton, it would be difficult to guess where expense could arise. Stair neither denied nor confessed the truth of the tale, but we shall find him perhaps con-

cerned in a much darker business.⁴⁹ We add Stair's own report to his Government. The king's disguise conforms to Saint-Simon's description.

"An enclosure from Ld. Stair's, Nov. 12, 1715.

"Saturday week last the Pretender, between 9 & 10 o'clock, passed within 10 leagues of Evreux on his way to the Norman coast, accompanied by one St Paul, son of a Frenchwoman & an Englishman, in quality of valet de chambre & surgeon, & preceded by another man to hurry the relays of horses. Seeing the person who gave this information recognised them, St Paul took him into confidence & asked him to tell the Queen at St Germain of their good health: he noticed that their post-chaise was poor enough & without glass.

"Le Pretendant etoit habillé en Evesque de campagne, ayant un Surtout violet, avec des boutons d'or, une petite peruke Abaciale et un petit collet, une petite croix d'or abaciale ou Episcopale, et le chapeau sans retrousse."⁵⁰

Berwick says that there was gossip about Stair's trying to procure James's assassination. He himself found no evidence beyond frivolous legends, and believed Stair, though a "Wigh," too honourable for such designs. Saint-Simon, who knew the innkeeper, was of another opinion—not unjustly, as documents prove.⁵¹

Meanwhile, as Berwick observes, Mar "was amusing himself" at Perth. "Had he marched at once with his 8000 or 10,000 men he would have met no opposition, and Argyll would have been obliged to retire on Berwick." Thence he might have moved to join the English Jacobites. "But he had drawn the sword and knew not how to advance, and so missed the best opportunity that had occurred since 1688."

That is, in brief, the history of Mar's campaign: his was "an army of lions led by a deer."

We owe a remarkably vivacious picture of Mar's conduct of the campaign to a singular person, the Master of Sinclair, who writes with the bitterness of Sir Malachi Malagrowther. The eldest son of the seventh Lord Sinclair, the Master had been Captain-Lieutenant in Preston's, under Marlborough. At Webb's victory at Winendael (September 28, 1708) an Ensign Shaw, one of the Shaws of Greenock (now Shaw-Stewart), saw, or said he saw, Sinclair adopting a position remote from the perpendicular. Sinclair challenged Shaw, who was unable to meet him at the moment, as he was going to see a fatally

wounded brother. Next day Sinclair struck Shaw, they fought, Shaw's sword doubled up and Sinclair's was broken, but Shaw was mortally wounded. His brother, Alexander Shaw, declared that Sinclair wore paper (a pad of paper, apparently, in his breast), against which the sword of his opponent was bent. Sinclair, after an altercation, pistolled Shaw in front of his regiment. Sinclair says that a court-martial recommended him to mercy. Sir John Shaw, brother of the two slain men, declares that the Attorney-General and Solicitor have united in the opinion "that Sinclair stands convicted of wilful murder," but does not deny that the court-martial recommended him to mercy. In reply to Sir John, Marlborough said that he had laid the case before the Solicitor and Attorney-General. They left the question of mercy to Marlborough, who, according to Sinclair, advised him to make his escape, which he finally did. "Queen Anne having, as it was said, turned Tory, vouchsafed me her pardon." In 1715 Sinclair joined the Jacobites, but, detesting Mar and being a man of furious temper, distinguished himself on only one occasion. How he behaved at Sheriffmuir will appear later. Sinclair lived, not in great popularity, till 1750. Sir John Shaw fought very bravely on the Whig side at Sheriffmuir, receiving two wounds. It will be apparent that Sinclair's evidence is to be taken with due allowance for his character and temper.⁵²

By Sinclair's account, when Perth was seized, the invaders had only five or six pounds of powder, which they picked up in the town. Mar sent promises to the 200 Lowlanders who had seized the place, but for long did not perform them. At last Robertson of Struan came in with 200 or 300 of Clan Donnachie, Southesk with a handful of horse and some Lowland footmen. Panmure arrived with his levies, Aboyne with the gay Gordons, Nairne with some Atholl Highlanders, so that "there were a great many men, but no such thing as order." There was no money to pay the levies, and Maule of Melgum said, "Never were men so idly brought in for their lives and fortunes as we were." All this was highly characteristic of Mar's dilatory mismanagement. "Lies were the life of our affair," sanguine rumours, till Mar came down with all Atholl and a few recruits from Braemar, where people waited for Invercauld to move. The avalanche of Highlanders carried along the half-hearted Perthshire retainers of Drummond, "forced out." General Hamilton now began to try to organise magazines, to procure forage, and regulate quarters: the delay had

vexed the soul of Sinclair, a professional soldier, accustomed to the methods of Marlborough. Hamilton told Sinclair, who "was not fond of the commission," that he was to lead 1000 men through the counties south of Forth, raising the gentry, and thence join the Jacobites of Cumberland. Nothing came of this: arms, powder, and ball were not available. Sinclair thought that, if England was thus waiting for Scotland to begin, Mar had misrepresented the facts, and he "formed a very bad idea of the state of our affairs." In fact, Sinclair's chief business was croaking and demoralising all who would listen to his grumblings. Mar, he says, consulted nobody when he arrived at Perth, but behaved "like another Moses," come down, fully inspired, from a mountain. Mar was encouraged by the arrival of James Murray from France: he now had a commission at last, and James's speedy arrival was announced. But, for reasons already described, the king's coming was delayed till it only endangered himself, while his melancholy was injurious to the spirit of adherents already discouraged.

In Perth the Highlanders grew mutinous for want of pay, the money contributed to the cause by Spain arriving too late to be of service. Panmure and Southesk subscribed £500 each, and Mar levied cess on the Lowland districts within his sphere. He demanded £1 sterling on every £100 Scots of valued rental. According to Rae, the Presbyterian ministers were plundered because they would not pray for King James, and some were driven from their manses. The Provincial Synods replied with appeals to Presbyterian loyalty.⁵³ At Perth every sort of jealousy abounded. Drummond had a commission to command the horse, and the squadrons of the various counties quarrelled about precedence. "All the others took it ill that Linglithgow, whose squadron was weak and mostly composed of Stirlingshire gentlemen, should carry the Royal standard," says Sinclair, who commanded the Cavaliers of Fife. He had already "told Mar my opinion of him very plainly." Whether Mar obliged with his own opinion of Sinclair does not appear. Arms were neglected, muskets were rusty and useless, it was nobody's business to provide powder. Montrose would have attacked Argyll and tried to take his ammunition, and Mar did order the clans to march into Argyll's territory. But Clanranald, Lochiel, Glengarry, and Stewart of Appin were not yet stirring, according to Sinclair: probably they were getting in their oaten harvest. Huntly, Marischal, and Seaforth were as dilatory.

Glengarry—"it's hard to say whether he has more of the bear, the lion, or the fox in him"—marched into Glenorchy and began to gain recruits. But the Earl of Islay had been sent to organise the Campbells, and secure Inveraray from invasion.

The fortunes of war in the west may here be treated, as they influenced the whole ineffectual campaign. It was about September 20 that Glengarry and Grant of Glenmoriston marched to raise Glenorchy, hoping to sweep the country, take Inveraray, and meet Mar in the Lennox early in October. Thence the combined Jacobite force would march by way of Glasgow into Cumberland. But Argyll's men acted with energy, and the Duke himself gave his chamberlain orders to supply the pay of the levies. At this moment Lochnell, Lochiel, and Appin were inclined, or professed to be inclined, to submit if the Duke of Argyll could protect them and obtain good terms for them. But whether this was a pretext to secure delay, or whether the chiefs changed their minds, they did not come in. Islay took the command of the western Whigs in Argyll, and Glengarry joined forces at Strathfillan, in Perthshire, with Clanranald and 300 of the dubious Macgregors under Rob Roy's nephew, Glengyle. According to the author of 'The Loch Lomond Expedition,'⁵⁴ Mar tempted "the nameless clan" with the promise that they should be nameless no longer. The Act of Proscription against them had been renewed in the reign of William III., and Macgregors were constrained to use other names, Campbell and Drummond being favourites.

On September 29 a large number of the pretty fellows of this unfortunate clan seized the boats on Loch Lomond, and occupied the Isle of Inchmurrin, landing, at midnight, within three miles of the old key of the west, the Castle of Dumbarton. The alarm was raised through the countryside by ringing the church bells: the castle fired some guns. The feat of the surprise by Thomas Crawford during the Douglas wars was too plainly impossible. The Macgregors retired, with the boats which they had seized, the booty they had taken, and ample provision from the red deer of the Duke of Montrose's forest, to Inversnaid, and moved to join Mar. Thence they returned to their fastness of Craigroyston, and mustered on October 10 on the north-east side of Loch Lomond.

Possessing a flotilla of boats, the Macgregors were thoroughly enjoying themselves, with the means of landing where they pleased and seizing arms and booty in general. To interfere with their

designs a body of Paisley volunteers and Ayrshire men garrisoned the country houses of the region, and determined to recover the fleet captured by the Macgregors. The naval force of the Whigs was provided by the ships of war lying in the Firth of Clyde. A hundred sailors, "with pateraroes and large screw guns," four pinnaces, and as many long-boats, mustered at the quay of Dumbarton, and the boats, "by the strength of horses, were drawn the space of three miles up the river Leven, which, next to Spey, is reckoned the most rapid river in Scotland." The boats and men thus reached the mouth of Loch Lomond: the Paisley volunteers embarked, and contingents of Argyll and Dumbartonshire lairds, with their followings, under an uncle of the Duke of Argyll, marched and rode up the north-west side. It was a brilliant spectacle: the pinnaces spread their sails and fired their pateraroes, making "so very dreadful a noise, through the multiplied rebounding echoes of the vast mountains," as must have struck terror into the hearts of the Macgregors. The Colquhouns joined the expedition at Luss, each with his gun and target bearing a steel spike, half an ell long, in its centre; each with a claymore, a few pistols, and a dirk. Such was the panoply of the clansman, a walking arsenal.

News came that Glengarry, with a large force, was approaching from Strathfillan, some five hours' march distant. Undaunted, the Whigs advanced to Inversnaid, where they bombarded a cottage. The garrison, a pair of old women, surrendered at discretion; no more dangerous force was seen than a few Macgregor scouts, "out of reach on the craggy rocks." The Paisley men then leaped on shore "with the greatest intrepidity," and climbed a hill without opposition. They took or sunk the fleet of the Macgregors, and returned to Dumbarton after this bloodless victory. The annals of Paisley record no more remarkable military exploit. As for the Macgregors, they had fallen back on Glengarry at Strathfillan, who, with the Appin men, the Macleans, fifty Macdougals of Lorne (how shrunk was the clan that all but conquered Bruce!), and others, numbered over 2000 broadswords. On October 17 they set out for Inveraray, and must have marched as only Highlanders can, for they arrived on the 19th. Islay had mustered about 1000 men in Inveraray, the town was in a posture of defence, and, to clansmen without artillery, seemed formidable. The chiefs paused and demanded a parley with Islay, who only desired to amuse them while reinforcements of regulars from Ireland joined Argyll at Stirling.

Apparently Clanranald and Glengarry were in no haste, for they entered into negotiations which were actually jocular. In three days the clans retreated towards Strathfillan, and 400 of Breadalbane's men laid down their arms. In short, the affair was a farce, and Islay had no more encounters till he arrived, a month later, at Sheriff Muir.

So far the strife had been as harmless as those old wars of Torelore, in the tale, where the men fought with apples and cheeses. The *aristeia*, or supreme success, of the Master of Sinclair was clever and bloodless. On a Sunday morning, in Perth, he was roused by a certain trader, who took him out to the South Inch, and there told his business. He had ridden all night to say that a small ship, laden with arms and ammunition for the Whig Earl of Sutherland, was lying in Bruntisland harbour. Some 3000 stand of arms, he declared, was on board. Sinclair knew that the man was of a mythopœic character, but he went and roused Mar. That commander, after wasting much time, ordered Sinclair to go for the arms with his Fifeshire horse. The danger lay in the neighbourhood of Stirling, whence Argyll, if news of the scheme reached him, might send dragoons to cut off Sinclair's party. With eighty of his troop the Master rode out at nightfall, avoiding villages. He seized several boats at Bruntisland, posted sentries, took the ship by aid of the boats, and brought her from the roadstead into harbour. On returning Sinclair found his men scattered in taverns. Standing in the water, Sinclair took the muskets as they were handed out,—his own men had only pistols,—and found that the pieces were only 300 in number. His mythopœic informer had multiplied them by ten. There were a few barrels of powder of about 100 lb., cartridges, bullets, and flints. Some of the town-guards' powder and firelocks were also seized, and about four in the morning Sinclair's work was done. A few of his undisciplined command rode off on a morning visit to a minister whom they had a mind to tease. A party of Highlanders, stationed to guard the road, scampered off when Sinclair said that the Duke of Argyll was coming. They plundered the peasants as they hurried to Perth, and, in short, Sinclair had a successful but most disorderly *camisado*. At Perth the Highlanders and Lowlanders were squabbling over commands and points of precedence: to manage such an army required a Montrose or a Dundee.

In England, meanwhile, the traitor Maclean had thrown the

Jacobites of the south-west—from Plymouth to Oxford—into the hands of the Government. The towns were secured, the leaders were in flight or under lock and key. But in Lancashire and Northumberland, where were many old Catholic families, Mr Forster and the Earl of Derwentwater did not wait, like Lansdowne and Sir William Windham, to be culled like flowers by the agents of the law. Early in October they began to muster a small troop of mounted gentlemen, were joined by Lord Widdrington, of a loyal Cavalier family, and, under Forster's leadership, proclaimed King James at Warkworth, Alnwick, and small adjacent towns. Newcastle held for the Elector, so Forster sent to Mar, asking for foot-soldiers. The Cause would have had a better chance, perhaps, if Scotland had been left to fight her own battle. The northern English Jacobites cruised about Northumberland, and heard at Hexham that "Kenmure's on and awa'." The Viscount Kenmure was a Galloway Gordon of an unlucky house, always attached to the Kirk when the Crown was in the ascendant, and to the Crown when its rightful owner was "across the water."

With Kenmure were the Earls of Carnwath, Nithsdale, and Wintoun. Kenmure raised the standard at Moffat,—the Royal Scottish arms, with the mottoes "No Union" and "For our Wronged King and Oppressed Country." On October 13 Kenmure found that Annandale had anticipated him in occupying Dumfries, while the Rev. Mr Hepburn had been hovering about with 300 of that branch of the Remnant who were called Hebronites. But Hepburn's campaign soon ended, and the Cameronians hated James even more than "the present idolatrous occupant on the throne," George. Kenmure's troop of some 200, mainly gentlemen, behaved more orderly on the march than the Master of Sinclair's convivial command. They moved towards Hawick, but Forster summoned them by way of Langholme to meet him at Rothbury. We learn about their doings from a scoundrel named the Rev. Robert Patten, who, having been Forster's chaplain and recruiting-sergeant, turned his coat, saved his neck, and wrote 'The History of the Late Rebellion' (1717). On October 19 the Galloway and Northumberland Jacobites met at Rothbury: among Forster's gentlemen was one worthy of note—the gay, loyal, brave, witty, and learned Charles Wogan.⁵⁵ He was of the same Norman-Irish family as the Wogan who rode through Cromwellian England to join Glencairn, and who rescued Charles II. at the gate of Worcester. Charles Wogan was a man

of taste and of excellent education: he it was who introduced Pope, a Catholic like himself, to the London wits; and for months Charles, with Colonel Oxburgh, James Talbot, called from his black complexion "The Crow," and his own brother, Nicholas Wogan, a reckless lad of fifteen, had been riding about the country arranging plans in Jacobite houses.

The two brave companies of gentlemen could do little, when they united, without more infantry than the Rev. Mr Patten had collected among the "Keelmen," who, at Newcastle, entertained Jacobite sentiments long after Culloden. Mar was obliged to try to send reinforcements from his dissipated force to join Kenmure and Forster, whom we must leave expecting their northern allies, while we return to Mar at Perth.

On October 4 we find him proud of the Master of Sinclair's Bruntisland raid,—“a new use for a party of horse,” to take a ship. He writes thus to Alexander Gordon, General of a Highland host still hovering on the braes of Glenorchy, with an idea of attacking Inveraray. “I will not begin with burning houses,” writes Mar; it was a measure which aroused bad feeling when Argyll, in the early days of the Covenant, fired “the bonny House o’ Airlie.” Gordon is to threaten to burn Inveraray Castle (not the existing castle, which is more recent), but must not carry out the menace till he receives Mar’s permission.⁵⁶ But Mar learned that through the dilatory arrival of recruits to join Glengarry, Inveraray was now a hard nut to crack. However (October 4), his own army was receiving regular pay to the extent of one shilling and ninepence per man weekly, and three daily loaves or an equivalent in meal. Argyll’s force in Stirling, he says, was not more highly remunerated. He hoped that Gordon would arm his body with the weapons at Inveraray, and feared that Lochiel, Appin, and Lochnell were in treaty to surrender to Argyll. Lochiel, however, protested his loyalty in a letter to Gordon, but his clan were daunted by the garrison of Fort William; and, in Mull, Maclean of Lochbuy would allow none of his men to join, apparently from dislike of Sir John Maclean of Dowart.

On October 7 Mar had ciphered letters from James, brought from France by Ogilvy of Boyne, a descendant of one of the Queen’s Maries, Mary Beaton. Mar expected James to land at once near “Dumbarton, about Loch Long,” which, as he justly remarked, made it highly necessary for Gordon to finish the busi-

ness in Argyllshire. Otherwise, if James landed in the west, the £100,000 set on his head would speedily be earned. Meanwhile (October 8) Mar was sending 2000 men to cross from Bruntisland to Leith to join Forster and Kenmure, while he with his whole force would make a feint at Stirling to amuse Argyll and conceal the movement on Leith. Why should he not have "discussed Argyll" earlier, instead of contenting himself with a feint? Probably the embargo on James's ships in France left him without sufficient ammunition. Mar, whether from his own wit or on the advice of others, had elaborated a strategic scheme which looked very well on paper. Far to his right, Gordon, with the Camerons, Glengarry, Clanranald, and Breadalbane's contingent, were to secure Argyll and the south-west coast, and contain the forces in Dumbarton Castle. On his left he would push 2000 men across the Firth of Forth: they would join the fox-hunters of Kenmure and Forster, and Argyll would be *cerné* in Stirling. But Gordon's movement was paralysed by the long delays of the Camerons and of Breadalbane; and the story of Mackintosh of Borlum, commanding the army that invaded the Lothians, has now to be told.

The crossing of the Firth by a large body of men in small boats, in face of the men-of-war which cruised in the Firth, was managed with unusual adroitness. Sinclair was consulted, and produced a Mr Harry Crawford, who undertook to collect fishing-boats. The Master himself was to lead eighty of his Fifeshire horse through the towns on the coast of the country, proclaiming James and seizing arms, and to return to Perth. His men were totally reckless of discipline, thought him cowardly because he tried to make them stand sentries in rotation, got drunk if ever he lodged them in a town, and straggled away from the Abbey of Pittenweem, which still afforded shelter. The Master refused to join Mackintosh, on his request, at the Castle of Bruntisland, as Mackintosh had no right to give him orders, and he might encounter Argyll's dreaded dragoons on the way. He supposed that the flotilla of Mackintosh was to start from Bruntisland; and he was intended, like the rest of the world, to believe this, because Mackintosh's plan was to draw the British warships thither, and keep them wasting ammunition on Bruntisland Castle, while his force was really crossing the breadth of the Firth farther to the east by night. The men's advance to the coast had been veiled by a cavalry screen under Erskine of Alva and Sir James Sharp, grandson of the murdered Archbishop.

Mackintosh's force started from Pittenweem, Elie, Crail, and the other little coast towns of Fife in the nights of October 12 and 13, and crossed the distance of some seventeen miles to the Lothian shore in safety. But a number of the boats which started latest were driven back to Fife, while young Strathmore, "a schoolboy," says Sinclair, was obliged to land his men on the May rock, where he behaved admirably, and made a good resistance, though his Highlanders were unruly. He finally succeeded in regaining the Fife coast, and rejoined Mar.

About 1600 men were now under Mackintosh, and Mar, writing to Harry Straiton (October 13), hoped that they would at once advance south-west to join the Galloway and Northumberland gentlemen. Such were his last orders to Mackintosh; but Mar feared that they would attack Leith and Edinburgh, and be overtaken by Argyll.⁵⁷ Sinclair says that Mackintosh "had no positive orders" (which is contradicted by Mar's letter of the moment), that Forster had but fifty gentlemen and could be of no use, and that Mackintosh, "having nothing else to do, thought he might go in his rambles to the citadel of Leith, a place he had heard Mar mention" in a casual way.⁵⁸ Sinclair states Mackintosh's force at only 1100 Highlanders. Meanwhile the Provost of Edinburgh put his civic forces in a posture of defence and sent a despatch to Argyll, who instantly lent him 500 dragoons and mounted foot. His men reached the West Port at ten o'clock at night, while Mackintosh's were approaching the East Port, and the Duke, arriving in person, was met by the Whig levies of the Lothians. Mackintosh turned tail, and, entering Leith, seized what remained of the ancient works of Cromwell's fort there, which he put in a position of defence.⁵⁹ The Duke saw that his regulars were not numerous enough to storm a fort held by Highlanders, and of the loyal militia he probably had his own opinion. After examining the position he returned to Edinburgh, and the Highlanders stole off to Seton House, where they received reinforcements from the other side of the Firth.

According to Rae, Argyll at this time commanded not more than 2000 men in all, yet saved Edinburgh, where the Jacobite advocates appear to have kept quiet. This was the most that he could do, especially as news arrived that Mar, with his whole force, was marching against Stirling.

At Seton House Mackintosh was perfectly safe, though observed :

the place was strong both by the nature of the surrounding ground and by the fortifications of several centuries. On October 17 the Duke rushed back to Stirling; but Mar was not the man to have taken advantage of his absence. Sinclair gives the usual sardonic account of the state of things at Perth. Nobody knew anything: hopes and fears lived on rumour. James Keith, later the famous Prussian field-marshal, and brother of the Earl Marischal, was with this inglorious army. He galloped along the line announcing that Sir William Windham had surprised Bristol, and that Sir William Blackett had seized Berwick and Newcastle. Blackett, a man of influence at Newcastle, had "kept out of the way," says Patten, while Windham, a victim of Maclean's betrayal, had surrendered to the law. Mar called a council, read "two dismal letters" from Mackintosh, and declared that "he gave him over for lost." They could do nothing for him except by a feint at Stirling, recalling Argyll. Sinclair said that Mackintosh could hold out if he had powder. "Mar, not knowing what powder he had, since he had given him none, would not hear me and made no answer."⁶⁰ Sinclair made himself as disagreeable as he knew how to do on the march to Auchterarder.

Next day the Jacobite horse camped in great disorder at Dunblane. Masters and servants were scattered here and there in the dark, without orders, without sentries, six miles from Stirling. A handful of Argyll's dragoons, beating up their quarters, could have destroyed them,—Drummond, Linlithgow, Southesk, Marischal, Kilsyth, Stirling of Keir, and all. "Marischal was the only one of them who seemed to have reason,"—he had, indeed, too much for a party politician. He remarked, with his usual humour, that he knew Argyll: Argyll was absent from Stirling, and would infallibly have ordered Witham, his second in command, not to move a foot till his return. Presently Gordon of Glenbucket came up with 300 light-footed Highlanders, sorely fatigued, their arms "poisoned with the rain." Sinclair gave Drummond, who was in chief command of the horse, an elementary lecture on the conduct of retreats, and implored him to put them in a position either to fight or withdraw on necessity. But probably the Earl Marischal went to bed, strong in his knowledge of Argyll's character. The whole force was armed merely with pistols, and must have perished if that happened which was not likely to happen—if they were surprised by a hundred dragoons.

Meanwhile Mar advanced as far as Ardoch, where there is a remarkably fine Roman camp. Hamilton, according to Sinclair, had advised marching to the mile-long causeway which leads to Stirling Bridge. In this defile the Duke could not attack them; Mar might call up the western clans from Dumbarton, fourteen miles away; they would be far too strong for Argyll, and would stop Evans's dragoons from Ireland from joining him. But Mar knew very well that the western clans were far away from Dumbarton, in a deplorably perplexed condition.⁶¹ Mar, to be sure, had news of Ormonde's landing in England, but in England Ormonde, we know, found not a friend. Things were not so forward as Hamilton seems to have supposed. Mar, of course, shuffled out of the attempt suggested by Hamilton and threw the blame on his brother-in-law, Sir Hugh Paterson, upon whom, says the Master, "he has put ane idiot hump-backed sister"! To Forster he explained his conduct by his want of supplies.

After these excursions and alarms Mar led his horse and foot back to Perth, and this was the end of a situation whence only Mar could have allowed Argyll to escape. Mackintosh had frightened away, on the field of Prestonpans, such Whig forces as advanced against Seton House. He then decamped, and rapidly marched to Kelso, was met at Ednam Bridge by Forster and Kenmure, and so occupied Kelso on October 22.

Sinclair gives personal reasons for Mar's dilatoriness; but it is not easy to believe that he could have crossed the Forth where Prince Charles did, by the fords of Frew, "then low and passable," for the weather was, in fact, extremely wet.

NOTES TO CHAPTER VIII.

¹ Stuart Papers, i. 287.

² MSS. of J. Eliot Hodgkin, Esq., p. 225; *Historical Manuscripts Commission*, xv. 2.

³ Stuart Papers, i. 336, 337.

⁴ Stuart Papers, i. 349.

⁵ Tindal, iv. 436, note.

⁶ Stuart Papers, i. 357.

⁷ Stuart Papers, i. 348, 349.

- ⁸ Stuart Papers, i. 357.
- ⁹ Stuart Papers, i. 371.
- ¹⁰ Stuart Papers, i. 375.
- ¹¹ Salomon Transcripts. French Archives, cited in Stuart Papers, i., p. lxxiii.
- ¹² Berwick, Mémoires, *ut supra*, p. 231.
- ¹³ Mémoires, Petitot et Monmerqué, lxvi. 246.
- ¹⁴ Mar Papers. Mar to Straiton, October 12.
- ¹⁵ Mathieson, Scotland and the Union, p. 298, note 2.
- ¹⁶ Hill Burton, viii. 260-284 ; Rae, History of the Rebellion, 1718, p. 187.
- ¹⁷ Stuart Papers, i. 520-525.
- ¹⁸ Mahon, vol. i., Appendix, pp. ix-xii.
- ¹⁹ Stuart Papers, i. 375, 376.
- ²⁰ Stuart Papers, i. 382.
- ²¹ Lord Mahon, who never understood this affair, did not translate, or even add, "to Nicholas," that is "to Scotland."—Mahon, vol. i., Appendix, p. xii ; Stuart Papers, i., pp. lxxv and 383.
- ²² See, in my 'Historical Mysteries' (1904), "Queen Oglethorpe."
- ²³ Mahon, vol. i., Appendix, p. xv.
- ²⁴ Stuart Papers, i. 384.
- ²⁵ Stuart Papers, i. 386.
- ²⁶ Berwick, Mémoires, *ut supra*, pp. 233, 234.
- ²⁷ Stuart Papers, i. 387.
- ²⁸ Rae, History of the Rebellion, p. 188.
- ²⁹ Stuart Papers, i. 389.
- ³⁰ Mahon, vol. i., Appendix, pp. xvii, xviii.
- ³¹ Stuart Papers, i. 391.
- ³² Stuart Papers, i. 400.
- ³³ Stuart Papers, i. 415.
- ³⁴ Rae, History of the Rebellion, pp. 189, 190.
- ³⁵ Rae, History of the Rebellion, pp. 194, 195 ; Townshend MSS., p. 161 ; Historical Manuscripts Commission, xi. 4.
- ³⁶ Stuart Papers, i. 521.
- ³⁷ Hill Burton, viii. 270.
- ³⁸ Rae, History of the Rebellion, p. 186.
- ³⁹ Rae, History of the Rebellion, pp. 208-211 ; Lockhart, i. 494, 498.
- ⁴⁰ Patten, History of the Late Rebellion, pp. 4-6 : 1717.
- ⁴¹ Wodrow, Correspondence, ii. 69-76.
- ⁴² Stuart Papers, i. 423, 424.
- ⁴³ Mahon, vol. i., Appendix, pp. xxxiii, xxxiv.
- ⁴⁴ Stuart Papers, i. 427, 428.
- ⁴⁵ Stuart Papers, i. 439-441.
- ⁴⁶ Stuart Papers, i. 445.
- ⁴⁷ Stuart Papers, i. 452, 481, 534.
- ⁴⁸ Berwick speaks of the traitor Maclean as "Colonel Maclean." There was a Sir Alexander Maclean, a colonel (Stuart Papers, i. 75, 204), who served with Villars in 1705. I find no other Colonel Maclean in French service since 1692 till that time, but Sir Alexander may have died, or left the service, before 1715.
- ⁴⁹ Saint-Simon, Mémoires, xiii. 401-408 : 1829.
- ⁵⁰ November 12, 1715. Stuart Papers. France, vol. 160. MSS. Record Office.
- ⁵¹ Berwick, *ut supra*, p. 252.
- ⁵² Trial of John, Master of Sinclair. Sir Walter Scott. Roxburghe Club, 1828.

- ⁵³ Rae, History of the Rebellion, pp. 235, 236.
⁵⁴ MDCCCV. Reprinted by James Dennistoun : Glasgow, 1834.
⁵⁵ Patten, History of the Late Rebellion, pp. 26-37.
⁵⁶ Original Letters relating to the Rebellion, 1730, pp. 48, 49.
⁵⁷ Mar Papers, Hill Burton, viii. 287, note.
⁵⁸ Sinclair, p. 129.
⁵⁹ Rae, History of the Rebellion, pp. 260-262 ; Sinclair, p. 129.
⁶⁰ Sinclair, p. 131.
⁶¹ Sinclair, pp. 139, 140. Mar to Gordon : Perth, October 16. Original Letters, pp. 83-86.

BERWICK'S NATURALISATION.

[MS. Carte 209.]

Fol. 6.

THE CASE.

His Grace the duke of Berwick a naturall borne subject of England makes suite to the King for his Ma^{ties} Licence to be naturalized in France, and caus'd a draught of a grant to be prepar'd for that purpose, which I have perused. And the Question is demanded, whether such a grant can work any wrong to the King, or tend to the diminution of his prerogative or to discharge the duke, from the service & duty, he oweth to the Crowne of England?

I am, My Lord, with humble submission to your Lord^{ps} longer experience, & deeper Judgment, of opinion that the duke of Berwick's requesting such a grant is now, & at all tymes hereafter, will be taken, as an instance of his duty to his soueraigne & of his care not to Comitt any act that may disable him from rendering the service (he is bound to do) by his naturall allegiance to his Majestie, And that such a grant will work no wrong to the King, nor lessen his prerogative, or discharge y^e duke from his Allegiance. 1st. Because the King Cannot do any act whatsoeuer, which Can debarre or hinder him from the service of his Subject.

Fol 6 b.

2^{ly}. Because the ligeance of the duke is naturall, absolute, pure, & indefinite, & is due to the King by nature and birthright, & Nemo potest Exuere suam ligeanciam is a settled maxime; 3^{ly}. because upon the will of y^e soueraigne and the obedience of the subject the governm^t depends.

All this is verified by the Resolutions given in the famous Case of Robert Calvin who was borne in Scotland after the descent of the Crowne of England to King James the first, called the Post nati : & in Doctor Stories case : so I thinke, the Grant as it is in substance, may passe, but yet (it being a case primæ impressionis before yo^r Lordship) with such a saving, as you shall see in the draught of the warrant heerwith sent you, My Lord, by

Yo^r lord^{ps} most obedient servant

ROBT. POWER.

[Endorsed by the
 same hand.]

Power's Opinion. To the Right Honorable My Lord, the Lord Caryll, the King & Queen's principall Secretary of State.

Fol. 7.

Wee are graciously pleased to Name & appoint you to be our Councell^r at law in our Kingdomes of England and Ireland hearby Granting vnto you, all

such profits, priviledges & aduantages, which to the said offices & places do belong, or which are theerwith usually taken, held, or Enjoyed, Given, &c.,
 * 18 Jan. 1704.

[* Added by
 a second
 hand.]

To our Trustie & welbeloved subject Rob^t Power of the Middle
 temple Esq^r Barister at law, now Residing att S^t Germaine
 en Lay.

[Endorsed.] A draught of a warr^t from y^e King for making Robert Power his
 Councell at law.

And this warrant ought to be dated a day before the date of the
 warrant for his Grace the duke of Berwick's licence.

Our Will and pleasure is, that you forthwith prepare a bill for our Royall Fol. 9.
 signature to pass our Great Seale of England, containing a Grant from us to our
 Right Trustie, & entierly Beloved Cosin & Councell^r James duke of Berwick, an
 naturall borne subject, of our full & free leave & Licence to be Naturalized in the
 Kingdome of France, And to take, Receive, possess & Enjoy all & singular such
 benefitts, freedomes, Immunities priviledges & advantages whatsoever, which are
 thereunto Incident & belonging, & which in the like case are usually, or ought to
 be, taken, had, acquired, or Enjoyed, And you are to Insert in our said Grant,
 all such Clauses, as you shall thinke Necessary, for Rendering the same, Good,
 firme, & effectuell in the law, to, & for him the said James Duke of Berwick,
 With a saving neverthelesse unto us o^r heires & successors of our Royall preroga- Fol. 9 b.
 tive in exacting, commanding & requireing the service of him the s^d Duke of
 Berwick in all tymes, & places, & upon all occasions, when & as often, as wee
 shall thinke fitt, w^{ch} he is to performe vnto us our heires and successors attending
 to the indispensible duty of his allegiance, & the Inseparable right of our Crowne,
 Giuen, &c., * the 19 Jan^{ry} 1704.

[* Added by
 same second
 hand as
 above.]

To our Trustie & welbeloved R. P. Esq^r our Councell Learned
 in the Law.

[Endorsed in
 same hand.] A draught of the King's warrant for preparing a licence for the
 duke of Berwick to bee Naturalized.

[Another endorsement, in second hand.] * 19 Jan. 1704.
 21 Oct. 1703.

[* Sic MS.,
 both dates
 written by
 the same
 second hand
 as above.]

CHAPTER IX.

THE END OF THE RISING OF 1715.

LEAVING Mar comfortably established in Perth, we follow the desperate fortunes of the gentlemen who met at Kelso, and there awaited the arrival of Mackintosh. His force appeared, draggled and weary, but full of fight. Indeed, had Mackintosh commanded the little army instead of the futile Forster, to whom James had sent a commission, the doomed company would have had less disastrous fortunes. On Sunday, October 23, Patten, chaplain and aide-de-camp of Forster (the latter office he shared with Charles Wogan), read the English Service and preached in the parish kirk of Kelso. The text was Deut. xxi. 17, "The right of the Firstborn is his." Many Catholic gentlemen attended, and said "they approved very well of our Liturgy, which till then they had never heard."¹ The Catholics were more staunch than the Anglican Tories, of whom not many are said to have been very forward except in drinking toasts. The Highlanders "behaved very decently and reverently, and answered the responses according to the rubric," coming from a district which Presbyterianism had not yet conquered. A manifesto was read, sent by Mar, denouncing the Union and popery. The Kelso people shouted, "No Union! No Malt Tax! No Salt Tax!" but did not otherwise aid the expedition.

Patten, like Homer, gives a catalogue of the chief persons engaged. A son of the Lord Basil Hamilton, so noted before his early death, led Kenmure's first troop, Kenmure being "utterly a stranger to all military affairs." In a more complete contemporary list we find the unexpected name of Maclellan of Barscobe, representing the Covenanting Barscobe of 1679. The Merse troop was

under the Hon. James Hume, a brother of the Earl of Home, himself a prisoner in Edinburgh Castle. The Earl of Wintoun commanded the third, a man of a strange private history, and regarded as hardly more than half-witted, though presently he exhibited more common-sense than his associates. The brother of Lockhart of Carnwath, a brave and handsome young man, whose death, shot as a prisoner, was one of the most pathetic events of the Rising, commanded the fourth troop. The leaders of the Highland contingent, in addition to Brigadier Mackintosh, a veteran soldier of fortune, and his brother, were Lord Nairne, a brother of the Duke of Atholl; his son, the Master of Nairne; and Major Nairne of the same house, who was shot with young Lockhart. There was also the Duke of Atholl's son, Lord Charles Murray, who displayed great gallantry, marching in the kilt ("without breeches") at the head of his little regiment.

Among the English, the Earl of Derwentwater, with his brother Charles Radcliffe, were the most distinguished, and most justly popular for their many virtues. Lord Widrington did not retain the good opinion of his comrades. Two troops, led by John Hunter and a brother of Douglas of Fingland, were looked on rather as mosstroopers and "midnight traders in horses"; a Borderer named "Luck in a Bag" was notorious among this class, a survival of old Border days. Nicholas Wogan led the fifth troop: he survived to lose an arm at Fontenoy, in spite of which he joined Prince Charles in the 'Forty-five.

They all dallied in Kelso till October 27, watched from Wooler, near Flodden Edge, by General Carpenter, with Cobham's, Molesworth's, and Churchill's dragoons and Hotham's foot. Knowing that Carpenter was at hand and about to march on Kelso, Kenmure called a council, when Wintoun earnestly maintained that they should move to the west of Scotland and join hands with the clans in the rear of Argyll. The party was in the same situation as the Earl of Argyll's force in 1685. The English had one set of views, like Argyll's Lowlanders, to go south and join the Lancashire Jacobites, just as Polwarth urged Argyll to join the western Whigs. The Highlanders were as eager, and more wisely, to unite with their own people, in place of losing themselves in England and trusting to allies who would not come in. Others advised to discuss Carpenter's weak and wearied force at once, to which

the Highlanders would have had no objection. In fact, the confused counsels ended in aimless tacking about, first to Jedburgh, till October 29, when the English prevailed on them to cross the Border, and Hunter was despatched into Tynedale with his mosstroopers. But the Highlanders declined to move, Hunter was recalled, and they strolled to Hawick, while Wintoun again displayed his unwonted wisdom and recommended his plan of falling on the rear of Argyll. At Hawick there arose disorder and false alarms; but they moved towards Dumfries, where they might have taken large supplies of provisions and arms, and advanced to the west coast of Scotland; but the English boasted of letters from Lancashire, which only awaited their arrival to raise 20,000 men. The English were obeyed, but 500 Highlanders went home in small parties: the rest were allured on by promises of good pay, good quarters, and the prospect of loot. A letter from Mar, of October 21, made it seem very doubtful whether the clans were at Dumbarton. At the same time, Mar said it would be "a great service to him" if they would join him, for Argyll had now been reinforced. Thus Mar left everything to Forster's discretion, and, as soon as they crossed the Border, the incapable Forster was in chief command. So he crossed, the die was cast, and only sheer ruin lay before them. They went to meet it as gaily as Hamilton's army at the time of the Engagement, and found it at the same place. Marlborough was consulted by the English Ministry, and it is told that he put his finger on Preston on the map and said, "You will take them there."

After resting a day at Brampton the force approached Penrith, where they frightened away a huge mob of militia and loyal amateurs, 14,000 men it is said, who "retreated" under Lonsdale in as many directions as individual taste preferred, leaving many of their arms behind them. Luckily for Howard of Corbie Castle, he was under ward in Carlisle Castle, and thus, like his descendant in 1745, escaped any share in the transactions. Curwen of Workington was equally fortunate. On November 5 they left Appleby for Kendal, and on the 7th reached Lancaster, where the ladies were pretty and kind, and where they made two recruits, were joined by five gentlemen, and seized six ship guns. No Protestants were joining. "Sorry to part with their new loves," says a contemporary account, the gay adventurers moved on to fresh conquests at Preston, the objective being Manchester, a town

zealous for the cause. They entered Preston on the 10th, and were joined by two Protestant gentlemen, Townley and Shuttleworth, and by several Catholics. Preston was the Capua of the adventure. "The Ladys in this toune are so very beautyfull and so richly attired, that the Gentlemen Soldiers from Wednesday to Saturday minded nothing but courting and feasting," says a report by one Clarke.²

This may account for the indolent inaction at Preston. Meanwhile Carpenter, deceived by the route of the Jacobites, was at Newcastle, whence he marched to Bernard Castle. The Cavaliers thought him negligible, and never troubled themselves about General Wills, commanding at Cheshire, who had Pitt's horse, Wynn's, Honeywood's, Dormer's, Newton's, and Stanhope's dragoons, and Fane's and Sabine's foot, with Preston's, in which the Master of Sinclair had served abroad. These were drawn into Warrington, and left a regiment of foot to watch Manchester, while Wills advanced on Wigan, whence he sent an express to hurry on Carpenter: he reached Wigan on November 10. Of Wills's movements Forster knew nothing, or did not act on his knowledge: Patten says that he depended on the Lancashire gentry for intelligence, and received none. A Jacobite officer of the Merse, in his journal, tells another tale. On the 10th, apparently, Forster heard of Wills's advance, but would not go towards Manchester to meet him. The charms of the Preston ladies were so great that the leaders let everything fare as it would.³ On November 11, at night, says the Merse officer, Forster had a letter from a noble Lord, with full intelligence of Wills's movements. Forster "seemed dispirited, and went to bed." His officers determined to send a scouting party towards Wigan, and to man the Darwin and Ribble bridges, but he countermanded the orders.

Preston was then a little town with a market-place, church, and a few streets, entered from Wigan by the Ribble Bridge, whence a road through the fields led to Church Street, and so to the market-place. At the entrance of Church Street were two high strong houses, of which one belonged to Sir Henry Haughton, an important position. There were three other "outgaits" from the town, northwards and in other directions. All were unguarded, for, on Saturday morning, November 12, Forster was just about to lead his force towards Manchester. Then he got tidings, which even he could not overlook, that Wills was just upon him, approaching

the Ribble Bridge in the grey late morning. Farquharson of Invercauld was sent with 100 men to hold the bridge, and Forster rode across to reconnoitre. He returned "by another way"; obviously he had found an easy ford, and he withdrew Farquharson's men and left the lanes leading to the town unlined by musketry. If we may believe Patten, Mackintosh was responsible for what, at first sight, seems an inexcusable error. In conversation with Widrington, Mackintosh said that he did not defend the bridge because the river was fordable at several places. Again, he did not occupy the houses at the outer ends of the streets because many lanes and avenues led into the streets, and he had not men enough to secure them all. Nor could he make a sortie with his Highlanders, because they could not face cavalry and guns, in which he appears much to have misunderstood them.

If this be true, it would seem that Mackintosh meant to make the centre of the town a place of resistance, with its church, much as the Cameronians did at Dunkeld in 1689. He wished to use Preston as a little Saragossa, occupying only so much of it as he had men enough to defend. The position was desperate, the mixed disorderly force would have been out-manceuvred and cut up by Wills's dragoons in a battle fought in the fields between the river and the town, while in the town dragoons could only act as dismounted infantry. The streets were barricaded, the Jacobites were mainly under cover, and Mackintosh, in fact, made so vigorous a resistance, and caused the enemy such heavy losses, that his plan was better than it looks. But he had not reckoned, apparently, that Carpenter would arrive next day, that he would be closely invested, and that he had not ammunition enough to stand a siege.

Wills crossed the bridge unopposed, cautiously advanced, fearing a trap, and, finding all clear, set parties to watch most of the exits, and directed two attacks to be made at the north and south entrances. Honeywood, on the Wigan road, had Preston's regiment, very bravely led by Lord Forrester, and 250 dismounted dragoons, with his own regiment to support them. On the north the assault was entrusted to Wynn's, Dormer's, and Stanhope's, supported by Pitt's and Mauden's mounted dragoons and a squadron of Stanhope's. The ends of the streets were to be seized and the houses to be set on fire. Within the town Mackintosh erected four barricades: the Earl of Derwentwater worked with great energy by way

of an example. Mackintosh commanded at the work just below the church : the Scots gentry were stationed north, the mosstroopers south, of the edifice : Lord Charles Murray presided at the south end of Church Street, by Sir Henry Haughton's garden. On the side nearest Lancaster, "the windmill barrier," Colonel Mackintosh, brother of the brigadier, commanded his clan, while the street leading towards Liverpool was also garrisoned by the Highlanders. Nicholas Wogan held a slight work in Church Street. Patten says that Captain Innes, with fifty men, held Sir Henry Haughton's great house, but was recalled as Preston advanced, thereby losing a most important position. The Merse officer attributes this disastrous retreat to Forster's, not Mackintosh's orders, and, in place of Captain Innes, names Captain Maclean. At all events, the Hougoumont of the position was abandoned.

Lord Forrester then led Preston's through back lanes not open to Mackintosh's fire, and exposed himself very courageously. The Merse officer, who had been sent to the church steeple to reconnoitre, signalled Forrester's dispositions to Derwentwater and Lord Charles Murray, who received Preston's with a front and flank fire, and threw them into confusion. But Honeywood occupied Haughton's and other houses, and burned the houses between them and the barricade. The Merse officer suggested to Forster to destroy the great houses with his guns, but, not understanding anything of the matter, Forster refused. "The body of the town," he said, having picked up the phrase, "was the security of the army." But the parts of the town which the enemy had occupied were conspicuously the reverse. Lord Charles Murray made good his own barricade, the enemy losing heavily, while Nicholas Wogan gained renown by a very noble action. Captain Preston of Preston's had fallen, dangerously wounded, when Nicholas leaped over the barricade and brought him in under a cross-fire. This deed later secured his pardon, and he was for thirty years a thorn in the side of England, both on sea and land. The Mackintoshes repulsed an attack by Dormer at the windmill, and night fell. But prisoners had the pleasure of telling their captors that Carpenter was coming up with all his force, on which news a number of the English Jacobites escaped by the Liverpool road, that Wills had neglected to secure. Perhaps Mackintosh did not believe the report of Carpenter's arrival, for he sent off, early on November 13, a sanguine report to Mar.

By ten next morning Carpenter was in view with 2500 men. He thoroughly invested the town, and it is needless to dwell on the details of the consequent surrender. Forster and Widrington, of their own good will, sent Oxburgh to ask for terms, and was answered that Wills would not put them to the sword, but leave them at the king's mercy. He had no choice. The Scots, especially the Highlanders, in vain asked to be led to die, sword in hand; but they were not led, and gentlemen preferred to risk rope and axe in reliance on English clemency. Wintoun, young Lockhart, Major Nairne, and Captain Shafto entreated Mackintosh to line the hedges on the north road, while they and their friends cut their way through. But Forster had given hostages for an armistice, and Mackintosh could not act. The English forces plundered the town, the prisoners were kept for trial, but Lockhart and Major Nairne were shot, with two others, as having held English commissions. Lockhart himself laid Nairne in his coffin. He was shot, and the two survivors did the same last duty to him, and then were shot.⁴ About 1100 Scots and 450 English were taken prisoners; Derwentwater and Kenmure were later executed. Nithsdale escaped from the Tower in his wife's dress; Forster escaped by a ruse almost too simple; and Charles Wogan and Brigadier Mackintosh simply fought their way out of Newgate, with six others, the day before their trial. Of Charles Wogan much remains to be told, before he reposes in the natural station of such a knight-errant, as Governor of La Mancha (cf. pp. 239, 240).

There could be no other end of an expedition of forces so divided in character, so disorderly, and, as far as Forster was concerned, so ill led. Mackintosh, when the pinch came, perhaps made the best he could of the situation. If he had held the fords and bridge against Wills, he could not have held the town next day against Wills and Carpenter. The Master of Sinclair's criticism of Mar's strategy in sending Mackintosh south is perfectly correct. He merely dismissed him and his men, without ammunition and without orders, to look for a few cavaliers of whom he only knew that they were lurking in hills. His letters to Kenmure and Forster were full of vague hopes, which really meant fears; when he "hoped" this or that, he feared the reverse. He thus divided his strength quite aimlessly, trusting that "something would turn up."

After Mackintosh's departure Huntly came in with 1400 foot and 160 horse, raising Mar's command at Perth to about 6000 foot and

600 amateur horse—no match for Argyll's dragoons, being, most of them, soldiers in the manner of Scott's Laird of Balmawhapple. Sinclair, who maintains that "the rivers were still low," says that Mar should now have forded the Forth, which the western clans could have turned at the head, while Argyll, not reinforced, could not have stirred, nor used his cavalry in the mountains. But as the rivers rose and Argyll was reinforced, while Mar's command dwindled through frequent desertions, the chance was lost.

Between Marischal and Huntly, whose cavalry was in part mounted on galloways, no love was lost. Marischal attempted to gain the Macphersons, who resented certain seigniorial rights exercised by Huntly, and told them (what is true) that they, not the Mackintoshes, were the genuine Clan Chattan, and he, a Keith, their true chief. The latter part of this antiquarian argument is absurd, whether Marischal spoke in jest, as is probable, or not.⁵ Huntly prevented Field-Marshal Keith, Marischal's brother, from beginning his great career as colonel of a Macpherson regiment; and Sinclair, criticising Marischal's etymology (Keith, Chattan), quoted the French philologist's derivation of *laquais* from the Latin *verna*, a boy slave—

" 'Laquais' vient de 'verna' sans doute,
Mais il a bien changé sur la route."

Huntly was involved in a dispute as to the pay of his gentlemen horse, and Marischal is said by Sinclair to have received £500 of the public money. On all sides were desertions and jealousies, and Sinclair sided with Huntly, to the detriment of the Cause. The aged Balcarres, the useless comrade of Dundee, joined the forlorn hope: Marlborough later obtained his pardon. Marlborough had a fellow-feeling, for he had been paying money towards the adventure. About a command for Balcarres arose a new grievance for the Master. Colonel Cathcart surprised a marauding and unsentried party in Dunfermline. Seventeen prisoners and many horses were taken in this ruffle in the dark. As Sinclair told Mar that he had frequently predicted this kind of disaster, their relations were not more amicable. The Jacobite horse were brave, no doubt, but incredibly ignorant of war, tipsy, and disorderly. In brief, the Highlanders were always the only soldier-like men, except a few officers, in the Jacobite forces, and the Highlanders were to be fatally divided. Sinclair believed that Mar had ingeniously embezzled £2000 of Jacobite money which he brought from London,—“from his cradle

he had it in him to be a thief." A few years later we shall find Mar's character showing in a very doubtful light. No steps were taken to bring powder from the Low Countries, "though we had small ships enough." Next, Mar sent Sir John Erskine on a mission to France. "This gentleman is my brother-in-law," writes the relentless Sinclair, "and I ought to know him, nor can I accuse myself of ever having spared him, absent or present, in my life." "His darling passion is desperate projects," and he was sent solely to mislead James. In coming back the luckless Erskine was wrecked off Dundee, and all the Spanish gold he brought was overwhelmed in ocean!⁶

It was amidst jealousies about promotions, while Huntly's men were practically unofficered, that old Breadalbane came in,—the Breadalbane who dealt with the Highlanders before Glencoe. He did not, in fact, as we have shown, embezzle the money intended to pacify the clans at that time, though Scott repeats the story in his notes to Sinclair's narrative. Breadalbane was nearly eighty. Why he joined Mar, or how he escaped the consequences, is unknown. He was a humourist, and advised the officers, as they did nothing else, to turn journalists, get a printing-press, and publish newspapers.

Meanwhile the great western expedition to Dumbarton and Inveraray occurred, and is thus briefly but sufficiently described. "The clans' bloodthirsty curiosity was soon satisfied in Argyllshire by seeing folk in arms ready to receive them,"—Islay at Inveraray with 1000 men.⁷ They were recalled to join Mar, after doing nothing. Huntly's horse, totally undisciplined, were sent to Auchterarder to join the western clans, with Sinclair to encourage them. The clans, in consequence of desertions, were but 2500 men. Huntly, Gordon, Glengarry, Maclean, and Sinclair returned to Perth, and Glengarry showed that he had understanding of war. Huntly was earnest to join his men with these clans, being irritated by the taunts of the Lowlanders. Douglas, one of the leaders of the English mosstroopers with Forster, arrived at this time with despatches, accompanied by a young Englishman, who let out the state of the Border gentry. "There was scarce a cutting sword among them:" they were cavalry armed with light small swords, and riding light hunters.

The western clans had come in, but Mar now waited for MacDonald of Sleat, Seaforth with the Mackenzies, and the Frasers under that Mackenzie who had married the eldest daughter of

Hugh, Lord Lovat. But Sutherland, with his own men and the Mackays, Munroes, and Gunns, was detaining Seaforth, who, however, occupied Inverness, while that Simon Fraser who had so long been a prisoner in France now appeared in Scotland and led his clan over to King George. Simon of Beaufort's case is instructive as showing that the clans were little nations, their politics being to regard their rightful chief as their king, and to follow him, with little regard to the claims of James or George. How the Court of Saint Germain had long ago decided that Simon was a traitor we have seen, and the French Government, if they could do little for their exiled guests, could at least keep Simon in durance. But in April 1714 the leading Frasers, who could not brook a Mackenzie usurper as chief of their name, selected a Major Fraser of Castle Leather to visit Simon in prison.

The Major, a Protestant who always acted on the supposed motto of his enemies the Jesuits, "the end justifies the means," was a cousin of Mackintosh of Borlum. Pretending that he was a good Jacobite, the Major procured from Mackintosh credentials to James. Mackintosh told him that the king had in his possession a letter written by Simon, a proof of his double dealing, and that this would cause trouble: the king would not be apt to permit the release of the chief. The Major set out from Calais in a French boat, and was obliged to menace three sailors on board with his rapier before they would give him even the refreshment of that poor creature—small beer. On landing he began his walk to Saumur, where Lovat lay, and offered to tramp to Bar-le-Duc and ask for James's pardon and permission to leave the country. After many adventures he saw James, who frankly said that he did not believe one word of Lovat's written profession of loyalty. He produced an intercepted letter of Lovat to Lord Leven, in which he requested that, if there were trouble at Queen Anne's death, John would raise the Frasers in the interests of Argyll. James had received this letter from Leven, "as sure a friend as he had in Scotland,"—a curious statement. James then tried to induce the Major to go home and win the clan to his cause, but the officer stood firm by Simon. The pair determined to escape to England, which, after a long delay, they did, setting sail on November 14, 1714. They skulked in London, while the Major sought the favour of Lord Islay. He was sent down to Scotland to secure a loyal address to King George from the gentry of the five northern counties, whom they induced to believe, in the

case of Jacobite signatories, that the loyal address was to be delivered to the other king, *James* !⁸ To Whig chiefs they said that Islay wanted the address as a means of procuring Simon's pardon from George. In February 1715 the Major returned to London with this curious document. Argyll and Islay did not know which side Lovat really meant to take. Lovat was imprisoned ; but two of the sentries on watch were Frasers, and through them they hoped to bribe eighty Highlanders in the third Guards, who, in fact, proved ready to cut Simon's path out of town.

The Rising began, and Sutherland was going north to raise his county for King George. To Sutherland Simon wrote "a very creeping letter," asking him to go bail for his good conduct : he could be of great service in the north. Sutherland undertook, with Duncan Forbes of Culloden, Monro of Foulis, and others, to be guarantors for Simon's loyalty in a bond of £5000. But Lovat had no pardon, and he made his way to the north disguised as the Major's groom. At Dumfries, apparently, though the Major says at Newcastle, they had some trouble, but were helped by Annandale, who had narrowly escaped from Kenmure and his company, just then beginning their futile Rising. Thence they made their way to Stirling and waited on Argyll, who was extremely astonished to see Simon. However, the Major persuaded Argyll that 300 Frasers, who had refused to go out with their Mackenzie chief, would keep Simon straight or "send his head to Stirling," while the Frasers under the said Mackenzie would desert him. "I must own," adds the Major, "that his Grace had his doubts about him [Simon], as he has to this day."

The pair reached their country by sea. The Major saw the 300 Georgian Frasers, and was asked by them "on what terms Lord Lovat had come home"! "Gentlemen," said the Major nobly, "you are all my friends and relations, and I am bound to tell you the truth." "Which, by the bye, he did not do, but dissembled with them all." They would not have joined Lovat had the Major told the unvarnished truth—namely, that Lovat was a friendless fugitive. So he boldly declared that Lovat had a full pardon, a promise of his estate, and £500 in his sporran. "Whereupon quart stoups of whisky went round to the King's health, who had given their Chief his peace."

Thus jesuitically acted the Major, with the best results. He marched his 300 to Culloden House: Culloden had 200 men,

Kilravock had 500. Lovat went to Fraserdale to gain more recruits for an attack on Inverness, then held for James; and his approach frightened away Macdonald of Keppoch, who had advanced "not to serve any king, but to plunder, as his ordinar always was." The Major is no grammarian, but his meaning is plain. The Major then advised Simon to attack Inverness in the name of King George, before his party knew that he was still under a cloud, and to send to the Frasers with Mar, bidding them desert. Three hundred of them consequently did so, two nights before the battle of Sheriffmuir, and, to be brief, Inverness surrendered. Strange to say, Lovat's heart—if he had any—was still with the Jacobite side. However, as needs must, he became the chief means of breaking up the Cause in the north of Scotland.⁹

While the Cause across the Border was being crushed, and in the north was on the point of crumbling away, Mar, at Perth, was doing nothing. A feeble idea of fortifying Perth occurred to General Hamilton, who consulted Sinclair,—no engineer, but an officer with an intelligent interest in his profession. Aided by Sinclair's valet, Hamilton made a few feeble efforts, later carried to a futile pitch under a French fencing-master. The host—we can hardly style it an army—had picked up a few guns, but had no powder and ball. The guns were dragged out when Mar led his men vaguely in the direction of Dunblane with no particular purpose. Argyll had as far as possible damaged the fords of Forth: they had no guide to these but Rob Roy, who had driven cattle through them to Southern fairs, and Rob was a dependent of Argyll, who "gave him wood and water." Argyll had destroyed the Bridge of Doune over Teith, and, for its size, Teith is rather a more difficult river to cross than Forth itself.

On the arrival of Seaforth, Sleat, and the Mackenzie chief of the Frasers, Fraserdale, Mar marched out "*à la bonne aventure*," the blind leading the blind. On the night after the first day's march the Frasers deserted at Auchterarder, running north to join Simon of Beaufort. Two hundred of Huntly's best men, deserting Glenbucket, also went off. Next day Mar reviewed his troops at Auchterarder, when quarrels arose, Huntly insisting that his force should accompany Sinclair's little troop. He went with the Macdonalds, Stewarts of Appin, and Camerons, the clans who were the life and soul of Prince Charles's army, and with the remnant of Gordon's horse, very unlike the Gordons of Montrose's day. The

mass of the army was to meet at Ardoch, by the Roman camp; the advanced guard was to occupy Dunblane. It was November 12, the day of barricades at Preston. About three in the afternoon a boy came, sent by Lady Kippendavie (Mrs Stirling of Kippendavie), with news that Argyll was marching in full force through Dunblane. A despatch was sent to Mar, and Sinclair threw forward a small patrol. Darkness came on, and the advanced guard bivouacked in a hollow, with the Allan Water behind them, inviting disaster. Mar arrived, and declined to believe that Argyll was approaching. Eight thousand men passed the night in a death-trap, where the horses could not be moved, commanded by heights from which three regiments of foot might have annihilated the force. At dawn the enemy's horse were visible to the two lines of the army: they were Argyll's reconnoitring party, with the Duke himself. Huntly proposed retreat to Sinclair, who said that to fight Argyll in the open was their only chance. But he proposed first to negotiate and try to make terms with the Duke,—a course which he justifies by the imbecility of their leaders, and the chance of obtaining terms while they were still armed.

Huntly had seen an intercepted letter from Townshend to Argyll, and gathered that he had power to negotiate. However, Mar collected his officers, and, by Sinclair's confession, made a spirited speech. Huntly replied, alluding to a letter which Mar, he said, had received from Bolingbroke. What encouragement, he asked, did Bolingbroke give? If this was the despatch of the end of July, entrusted to Allan Cameron, it only advised delay, as we have seen. Sinclair had not heard of this letter before, and Mar did not answer Huntly's question. The curse of Father Callaghan's false news of July 15 had come home. It was unanimously decided to fight. "No man who had a drop of Scots blood in him, but had been elevated to see the cheerfulness of his countrymen on that occasion," as bonnets were tossed in the air, and even the Master felt confident of victory. "I began to think that Highlandmen were Highlandmen:" previously he had despised them as mere militia. They were, in fact, when well led, much superior to the regular troops of the day, if opposed to infantry, unbacked by good horse and artillery.

Hamilton formed the host into two columns with Huntly's two companies of horse, Marischal's and Linlithgow's with the first column: with these went Lord Drummond. They all rushed to

the top of the rising ground on the great bare swell of Sheriffmuir, which is destitute of cover, but, by its undulations, caused half of each army to be sometimes practically invisible to the other half, as at Falkirk in Prince Charles's campaign. Sinclair's horse, with Rollo's and Southesk's, was on the left of the second marching column. When that column started, the first column was already forming in line at the crest of the rising ground, with their horse on their left, "it seems not knowing their left hand from their right." Drummond and Marischal and Linlithgow were thus in the centre of the foot. There appear to have been the two columns which Sinclair could observe, and also two others, "marching most irregularly at some distance." The account is confused, but aide-de-camps came up insisting that *all* the horse must go "to the right of the whole army." Wightman, on the other side, agrees with Sinclair that the right, at least of the Jacobites, was well marshalled; regular troops could not have done better.

From the hill they could see the heads and colours of the enemy marching rapidly to the Highland left, along their front, which seems to have been a dangerous manœuvre, the forces being but two hundred yards apart. But no advantage was taken of it, though a gentleman, Captain Livingstone, with oaths, asked Gordon to give the word to charge. Gordon said that he must consult Mar, Mar was not to be found, the enemy was allowed to form, and then the Highlanders of the right did charge, with a dropping fire. The enemy answered with a volley: the Highlanders threw themselves on the ground, rose, and with the broadsword cut through the bayonets in a moment, as later at Prestonpans, "with an incredible vigour and rapidity, in four minutes' time from receiving the order to attack." All the regulars within view fled, foot and five squadrons of dragoons; but the enemy in front of Drummond and Marischal's horse, not having been in the line of the Highland rush, stood. Drummond and Marischal, in place of charging them, wheeled to the right and followed the pursuing Highlanders. Sinclair takes great credit for preventing his men from joining in this movement, and has been blamed for not attacking the firm part of Argyll's line himself. But what could three squadrons do against an undemoralised line of bayonets? Really, he seems to have shown judgment. He had heard Major MacArthur call out that their left and centre were broken and running, and he replied, "S'wounds, keep that to yourself."

A squadron of Argyll's—whence they came Sinclair never discovered—surrounded a number of Marischal's men, but withdrew when Sinclair advanced his own. Argyll was now coming up unseen on his rear, after scattering the Jacobite left wing, which frequently re-formed and detained him before he drove them in confusion to the Allan Water. The horse of the two victorious wings—that is, Sinclair's and the Grey Dragoons—now halted, in fair field, within three hundred yards of each other, while the five fugitive squadrons of Argyll's horse had halted and formed above Dunblane. While they watched each other, Argyll's right came into view, a mile away, returning from the pursuit of the Jacobite left. Both forces were again fairly marshalled, the horse and Highlanders of Mar had returned from their headlong pursuit, and now was Mar's chance. The affair was not unlike that of Marston Moor, but Mar was no Cromwell. Argyll probably thought that he had accomplished his object; and though Glenbucket uttered his famous "Oh, for one hour of Dundee," and made a motion to Linlithgow to charge, Mar stood still, and the Duke moved off to Dunblane in the dusk. Mar had still a great superiority in numbers; but he threw away his only chance, left his useless guns in the roads, left his broken powder carts, and lost almost all of his columns on the left, who had been outflanked early in the day by Argyll's horse, led by Cathcart across a frozen morass. In this affair the gallant young Earl of Strathmore was killed. Deserted by his men, he had seized the colours and, with fourteen others as brave, held his own till he was struck by a musket-shot and sabred by a dragoon. Even the Master says, "He was the young man of all I ever saw who approached the nearest to perfection." On the right, when the Highland charge began, the brave Clanranald had fallen in front of his clan, who were rallied and led to take their revenge by Glengarry. On Argyll's side the Earl of Forfar was slain and the Earl of Islay was wounded. The losses of his army were reckoned at about 650 killed and wounded, but they had made a number of prisoners and recovered the small guns which they had lost.

Of course each side claimed a victory in a scuffle where the generals knew not how to find their own men, while tactical errors, due in part to the impossibility of surveying the whole field, were committed by both parties. The advantage, however, was decidedly with Argyll. He had proved to Mar his immobility, and

Mar lost far more men by desertion than by sword or shot. The Rising was practically dead, and the most unfortunate thing was that James was trying to make his way to Scotland. He could do no good, but the movement was kept up in his honour. As we shall see, he heard a flourishing account of the battle before he set sail, but remarked that the statements about the left wing of his army were not very lucid.

As if disasters were never to cease, the host learned from Seaforth, as they returned to Perth, that Sutherland had taken Inverness, the feat being mainly due to Lovat, as we have seen. Seaforth therefore returned to the north, whence Sutherland, with about 1700 men, was threatening to march south. Seaforth's clan, the Mackenzies, had gone thither in front of him, of their own will and fantasy.¹⁰ Gordon of Glenbucket also departed to raise Huntly's following again. The victorious Highlanders of the right wing "went home with the enemies' plunder," which must have been scanty, and gentlemen of the clans followed to look for them. Apparently Argyll might have marched into Perth, had he thought good, for the works were delayed by lack of labour and by the hard frost. Meanwhile Mar promised the arrival of foreign arms, powder, and money, and of James, who, had he not been detained by contrary winds, would have landed at Dunstaffnage near Oban, the ancient seat of the Dalriad kings, whence he might have found the journey to Perth both difficult and dangerous.

The army had little powder, few flints, and no powder-horns, though there were tinkers and gypsies enough in the host, whose business was the making of such utensils. Hamilton sent memoranda to Mar on all these points; but the Highlanders continued to keep their powder loose in their pockets, where it was ruined if the weather was wet, while, if the warrior thoughtlessly put his lighted pipe in his pocket, the results were damaging and instantaneous. Flint is a common object of the seashore in the east, but gun-flints were rare in this strange army. It was to this host that the news of the Preston disaster came,—news which rumour could not exaggerate; but Mar wasted much powder in salvoes for an imaginary success—that reported in Mackintosh's letter, written in the dawn of the day of surrender. Tidings of reinforcements for Argyll, of Dutch troops on the way to England, and of artillery shipped from London for the attack on Perth, were not lacking.

Sinclair pressed on Marischal the idea of asking for terms, to

which the good Earl "answered short, that he would rather be hanged." It is known that the Government did not reply to a hint of Argyll about terms: the Duke was a very good Scot, and had no joy in victories over his countrymen, when all that was necessary could be gained in a bloodless way. Sinclair told Marischal that he himself had no wife and family, and had a profession and knowledge of "the languages," but that reason bade him pity the poor gentlemen involved. Marischal said that it was too late to be reasonable. The Atholl men had begun to see that they had better side with their Duke than with Tullibardine and Lord George, then very young, and later the excellent General in Prince Charles's campaign. One recruit arrived, Keppoch, of whom the relentless Master tells us that, as he came south, he robbed the victorious Highlanders who were going north with their plunder. Sir Walter Scott conceived that the scoundrel Patten, in his History, used against Keppoch similar information from a hostile clan, that of the Mackintoshes. The Keppoch Macdonalds, in any case, during the next thirty years, reformed their predatory character, and won glory in the latest fight for the Cause.

Mar now wished all the gentlemen to sign a band to the effect that none would seek to obtain terms contrary to the vote of the majority. The thing was not liked. Kinloch remarked that, as the king was not mentioned in the band, it smacked of the Covenant, but Mar mended that defect. Several men declined to sign, and Marischal told Sinclair, who was one of them, that the measure was intended against Huntly's attempt "to make a separate peace for himself," like Dicaearchus in Aristophanes. The Fifeshire gentry, "The Grumblers' Club," agreed with Sinclair that they needed a capitulation much more than an association. They had only 1000 foot and 400 horse, without carbines; as to their king, nobody knew where he was. They could not hold Perth unfortified and without powder: the lack of powder was always the refrain of these laments. The Grumblers were said to design to send a trumpeter to Argyll and ask leave to capitulate; what they did was to remonstrate formally with Mar. They asked him to prevent James's arrival; to which Mar answered that he knew not where the king was, and had already sent to warn him against coming. Now, by December 1, James had heard of the place, which he does not name in writing to Bolingbroke, where Mar wished him to land.¹¹ Even by December 12 there is no sign that James had heard of

Mar's message : indeed he only at that date received intelligence of what, as he saw, was not a victory, if not a defeat, the battle of Sheriffmuir.¹²

Finally the Fife men and Huntly's almost unanimously refused to sign the band of association. Lord George Murray told Sinclair that, if his own brother acted as Sinclair did, he would call him a traitor. Sinclair replied that, were he Lord George's brother, he would flog him. One would suppose that swords were drawn, but there was no such matter.¹³ Such was the army to which James was coming. The Grumblers feared that Mar would set the clans on them, for *they* had no idea of surrender, and, Sinclair argues, in their hills had nothing to fear. His party believed that Mar had an intercepted letter from Townshend to Argyll, to the effect that an indemnity was drawn up, save for the names of the men excepted, among which would certainly be that of Mar. That peer had spoken hastily of having a ship in readiness for flight ;¹⁴ but they had no ships ; they believed that he had three ! In any case, Mar sent to Argyll his chief prisoner taken at the battle, Colonel Lawrence, who brought back the message that the Duke had no power to treat with Mar, or with the Jacobites *en masse*, but with individuals only.¹⁵ By another version, Argyll was to send to London for powers, and reply when he had an answer from Government.¹⁶ To double confusion, Mar had, while resisting the idea of capitulation, sent to Argyll the Countess of Murray, daughter of the Earl of Argyll executed in 1685, with instructions to see what could be got in the way of terms !¹⁷ Huntly's men, who were said not to have distinguished themselves in the fight, and who were the victims of an unseemly ballad, were kicked in the streets.

“ And oh, as the Marquis rade !
And oh, as he ran !
And oh, as the Marquis rade,
When the battle it began ! ”

said the ballad-monger, adding details of a high impropriety. No wonder that Huntly was set on departing for the North, where Sutherland was threatening his country, and the Master meant to accompany him, as, bearing a gentle heart, he “ would fain be out of that hell.”

Mar seems by this time to have known that James was really coming, for he spoke to Sinclair of a plot to murder him on the

way. This plan is mentioned in an undated warning in the Stuart MSS. Stair's agents were the Douglas whom, as we have seen, Saint-Simon mentions, and a Mr Elliot. This story dates from about November 8,¹⁸ and had clearly reached Mar.

Meanwhile Huntly departed, and the Master, giving his full mind on the situation to his friends of Fife, rode after him. His friends went home, and few suffered loss of estates, none of life. Except by their capture of a few muskets and barrels of powder, they had done the Cause no good, while their leader's conduct, as complacently described by himself, is open to more than one interpretation. He had constantly preached to his friends that the resolute men of the party were either Highland chiefs, who could not be injured in their mountain retreats, or "bankrupt" nobles with nothing to lose, who could go abroad, get places or pensions in France, and live at ease on their reputation for loyalty. In neither category could he reckon men like Tullibardine, who held the world well lost for the sake of "keeping the bird in his bosom." Thirty years later, beneath the monumental peaks that look down on Loch Shiel, Tullibardine raised a not inglorious standard.

At Castle Gordon, with Huntly, Sinclair saw Mar's letter to the Marquis announcing that the deep snow had allowed the army "to eat their Christmas goose" at Perth unattacked, that he had received from Argyll a civil reply to a message asking for terms, and that the king would soon arrive. On December 22 (old style) James had landed, with Allan Cameron, at Peterhead, and been met by Mar at Fetteresso. James had reached St Malo on November 8.¹⁹ He had intended to start instantly for the west of Scotland. On November 15 he still meant to sail for Dunstaffnage, though "my going to Scotland straight has been vigorously opposed." Meanwhile two of his messengers, Murray and Lord Clermont, were arrested in Flanders. On November 15 Bolingbroke "repeats the necessity of your Majesty's speedy departure." "*Your Majesty may be assured that nothing has been neglected.*" Later his Majesty dismissed Bolingbroke, on the charge that everything had been neglected. Bolingbroke "makes no doubt but we shall be able to procure you support from the Continent."²⁰ What support, and on what evidence did he base his certainty?

On November 20 James had received no intelligence. "The situation is terrible. The winds are contrary, and there is no sign of change. The world may have changed face in the last ten days,

our plan may have turned from good to bad, and we know nothing." On November 24 James admitted to Bolingbroke that he had left Bar too hastily, "but my patience was no longer proof, I freely own, against all the attacks made on my reputation." He had been delayed by Maclean's treachery, and the failure of Ormonde and his return from England. In Ormonde's crowd of followers at St Malo the secret of James's presence there became public property. As soon as the wind permitted he embarked, with the purpose of sailing round Ireland. The seamen said that the route, in the weather, was impossible. St George's Channel was crowded with English ships, and James's own crew knew who he was, and, though the king does not say so, a reward of £100,000 might tempt them. James knew that Rothe (Routh, an Irish adherent) wished him to sail at all hazards, "*whither* he could not well tell, nor reply to the objections made by Ormonde and myself." Routh was disgusted, but, with his usual calm fairness, James adds, "Were he not too honest a man to say what he thinks, my reputation would very much suffer."

Did it deserve to suffer? Prince Charles would have sailed at adventure: such audacity is applauded if successful, if unsuccessful is called folly. In this letter alone the king's temper allows him to speak of Berwick most unworthily as "a disobedient servant and a bastard." Later, he returns on this point to his usual reasonableness as regards his brother. "His honour and conscience may make him omit sometimes what he ought to do, but will not, I am sure, permit him to act manifestly against his duty."²¹ On December 1 James was starting for the east coast of Scotland, but Ormonde again returned from an attempt to reach England, and December 12 found James still in France. "The *contretemps* of my not passing was cruel, but there was no remedy." His last letter before his departure with a fair wind is dated "December 27." The king came to meet a wintry welcome. Just before January 1, 1716, Sutherland, with the Mackays, Grants, Rosses, Munroes, and Lovat's Frasers, had frightened Seaforth into submission.²² Neither in the struggle of Montrose, nor in 1715, nor in 1745, nor in 1719, was the large clan of Mackenzie of much use to the Cause. Among other causes they were hampered by the Whig clans of the north, the Munroes and Mackays, while the Frasers, with a chief like Lovat, were never to be reckoned on with confidence. But on hearing that James was landed, Seaforth turned out again and considerably

hampered Sutherland, who, however, kept his hold on Inverness. In the south, Argyll, with Dutch and other reinforcements, caused Mar to draw in his garrisons from Fifeshire, so that the insurgents were practically cooped up between Perth and Aberdeen, unless they chose to take to the hills during very hard winter weather and without supplies.

Mar, with as much pomp as he might, hurried to James at Fetteresso, to "that unhappy Prince, as entirely a stranger to his own affairs," writes Sinclair, "as if he had dropped out of another world, or from the clouds. He was brought in imminent danger of his life, without . . . any other effect than the certain ruin of his friends," who, perhaps, could never have got good terms, and now had less chance than ever.²³ Mar is said to have put the best face on things: Huntly would recover Inverness before Argyll could attack Perth, and the whole of the Highlands would gather round the standard. "Poor George," as Mar calls General Hamilton, was sent over to France as a messenger: the whole burden of the failure at Sheriffmuir had been laid on Hamilton's shoulders, and he had been made odious to the Highlanders, as James wrote to Bolingbroke. Hamilton was to obtain help from Spain.²⁴ He could have done more to secure Perth than any one who was left, says Sinclair, inconsistently, for he had previously described in the most amusing way Hamilton's amateur ideas of fortification. But now the Master, very fond as he is of the classics, quotes Macrobius,—a feat not likely to be repeated by any infantry captain of our more highly educated age.

Probably James was hoodwinked. But had he known that Argyll had 11,000 regulars within eighteen miles of Perth, and that, for the taking of Inverness, Huntly possessed neither men, nor powder, nor heart,—while the weather which kept Argyll from Perth kept Huntly, had he been ever so eager, from Inverness,—had James known all this, what could he do? Huntly (January 1) did send a message to call out Glengarry and Lochiel, but he cannot have expected their arrival. James was actually led to believe (January 8) that Huntly was easily able to surround Sutherland, and take all his army prisoners and hostages for the captives of Preston!²⁵ Writing to Bolingbroke from Kinnaird on his way to Perth (January 2, O.S.), James says, "Our present circumstances are none of the best"; but Atholl, he is told, will declare for him, Huntly and Seaforth will clear the north, "but of all this I have

no certainty." He repeats his lesson, and believes as much of it as he can. The only chance lies in receiving early assistance, and he hopes that the Regent will be moved to help him. Bolingbroke, in December, had represented himself as *au mieux* with "Euphemia," the Regent. Will he not send Ormonde to England yet once more with French troops, and send Irish regiments to Scotland? Dillon will be a desirable general, and Mar,—“I never met with a more able or more reasonable man, nor more truly disinterested and affectionate to me,”—will gladly resign command. Mar, the reasonable, able, and affectionate, had “captured” James, as Bolingbroke was soon to learn. Mar advised James to write to Argyll and Islay asking them to join his cause,—a proof of Mar’s reasonableness and ability. He might as well have written in the same terms to Dumbarton rock. “It is my business,” says James, “to please as many and disgust as few as possible,”—a business for which his natural stiffness, and a melancholy that increased with each day’s discovery of the truth, made him quite unfit. He ends with a report that Ireland is rising, and that Sutherland has evacuated Inverness,²⁶—“sooner or later I make no doubt of its coming to that.” “Unhappy Prince!” Perhaps Mar was incapable of seeing things as they were; perhaps he hoped for miracles to be wrought by James’s presence; perhaps he thought that to tell him the truth and ship him back to Dunkirk was to discredit himself, James, and the Cause. Bad as the choice was, it was the least of the evils open to his choosing.

On receiving James’s letter, already cited, Huntly saw that the king had been deceived. He answered complaining of Mar’s usage of him, and of the eternal want of powder, which Mar seems to have regarded as a rare product of the soil in certain favoured regions, not as a commodity which could be made at Perth or Aberdeen by arts known to men. Sinclair went to see some neighbours, hating life, and pitying every man he met. “*Nam quid miserius misero non miserante se ipsum*” (Divus Augustin., Lib. I., Confess.), quotes the erudite Master. He tried to find a ship and escape; he failed, and Huntly, in place of taking Inverness, made a fortnight’s truce with Sutherland. Huntly had several ingenious excuses: one of them was the example set by Seaforth. Gordon of Glenbucket went to Perth and saw James,—“the only modest man there, he hearkened to reason,” quoth Glenbucket.

James’s journey to Perth had been delayed by an attack of fever

and ague at Fetteresso. Here he had received a loyal address from the Episcopal clergy of the diocese of Aberdeenshire, a county in which the Church as arranged by James VI. had struck deep root, surviving the storms of the Covenant, the Commonwealth, and the Revolution of 1688. The clergy assured James that the recovery of his just rights would "not ruin our religion, liberties, and property," which was true enough, but not easily to be credited by Protestants who remembered James's father. As for James, the song said—

"He did no wrong, he knew no guilt,
No laws had broke, no blood had spilt;
If rogues his Father did betray,
What's that to him who's far away?"

The address alluded to the heavenly care displayed in the king's preservation from "the Hellish contrivances for encouraging assassins to murder your sacred Person, a practice abhorred by the very Heathen." This was a not undeserved allusion to the price of £100,000 set on the king's head. If James replied in the cold two lines which he is reported to have uttered, the Highlanders at Perth, remarking his taciturnity, may well have asked, "Can he speak?" Charles II., however much he disliked Covenanting ministers, made himself personally agreeable to them in his lively way. But James, constitutionally shy, had never acquired, by study and practice, geniality of manner. At Dundee he sat on horseback for an hour in the street, while the people kissed his hand: he remarks wearily to Bolingbroke, "The people here are very affectionate." When he entered Perth the British Parliament was meeting in London, and impeached Widdington, Nithsdale, Carnwath, Wintoun, Kenmure, and Nairne of high treason.²⁷ Erskine, with the gold for the campaign, was wrecked off Dundee, and the money was lost. Huntly prolonged his truce with Sutherland, and Inverness was held for King George by 2500 men. James was permitted to issue one proclamation out of many, in which he said, "For me, it will be no new thing if I am unfortunate: my whole life, even from my cradle, has shown a constant series of Misfortunes"! Nothing could be more paralysing to the adherents of this melancholy prince; yet Mar (January 29) assured Huntly that the Regent was about to adopt their cause openly, and send an invading force to England. As Berwick's son, Lord Tynemouth, had arrived in the ship which conveyed the lost gold, the impression to be given was that Tynemouth

brought these glad tidings. Mar said that Stair, English ambassador in France, had warned his Government of an open rupture with France. Argyll's men were deserting daily. Mar was as optimistic as ever, but Huntly well knew how far he was to be trusted.²⁸ As usual, he was demanding powder and receiving no reply.

On January 31 James wrote to Charles XII. of Sweden. He deeply regretted that hero's misfortunes, and was sure that he might best retrieve them by establishing him on the English throne as a faithful ally! This letter is marked by James "Not sent." He had not time nor opportunity to send it.²⁹ On the same day Bolingbroke wrote a very guarded letter to Mar. The secret about France was to be kept most private. Mar, we see, had blabbed it to Huntly.³⁰ Had Bolingbroke really won over the Regent? Nothing seems more improbable.

Meanwhile James resided at Scone, within two miles of Perth, and fitful preparations were made for crowning him there, as Bruce had been crowned with maimed rites. An eyewitness says, "It was no time for mirth. Neither can I say I ever saw him smile. . . . If he was disappointed in us, we were tenfold more so in him. We saw nothing in him that looked like spirit. . . . He cared not to come abroad amongst us soldiers, or to see us handle our arms or do our exercise." These remarks in 'A True Account of the Proceedings at Perth, by a Rebel,' are not, as has been supposed, from the pen of the Master of Sinclair, who was in the north and on the point of flight. James was still under the effects of his ague, and the winter was unusually hard. He had come to a scene of ruin, and he had a price on his head. But either his uncle, Charles II., or his son, Prince Charles, would have put a better face on the situation.

We know that Marlborough distrusted and detested Argyll, who really seems now to have been as dilatory as Mar. From Sinclair's account of Perth after Sheriffmuir, it seems that Argyll could have scattered lightly the remnants of Mar's host. Marlborough's favourite officer, Cadogan, was sent down to hurry him; if there really was warning from Stair of danger from France, this was highly necessary. On December 25, 1715, Stanhope had informed Stair that the rebels would abandon Perth on the arrival of the Dutch troops at Stirling.³¹ Things had not moved so rapidly, and Argyll was unwilling to march forward through the snow, which lay very deep. Cadogan reported suspiciously of Argyll's

behaviour: he seemed depressed when he heard that the Jacobites had decamped from Perth. He himself was to have marched on January 29, and the men of the Jacobite army, says "A Rebel," were delighted to hear the news. "What did the king come hither for? Was it to see his people butchered by hangmen, and not strike one stroke for their lives? Let us die like men and not like dogs." This was the spirit of the Scots at Preston, the spirit of the army of Prince Charles when he and they were turned back at Derby by a council of war, despite the eager remonstrances of the Prince. Did James remonstrate?

He did extremely detest the resolution taken by his council on January 29, not merely to retreat, but to burn and destroy the towns and villages such as Auchterarder, and the hay and corn on the route which Argyll would take. The cruel order, however, was given and executed, and James, as was reported, wept when, at two in the morning, his reluctant army crossed the Tay on the ice and retreated northwards. "The burning goes mightily against his mind," Mar wrote to General Gordon (February 3-14), "but there's no help for it."³² The coins with the head of James III. and VIII. had been struck by Roettier (they are rather pretty crown pieces), and were ready at Paris when James in his flight reached Montrose.³³ At Montrose he wrote to the Regent. Affairs might yet be restored, with the help of France. "We entreat your instant aid, which we do not doubt that we shall obtain after all the assurances you have given me" (February 3-14).³⁴ Erskine the unlucky was being sent with this despatch. James had left Dundee on February 1-11, Argyll had entered it on February 2-12. He sent forces to Arbroath and Brechin, but the weather detained them.

James reached Montrose on February 3-14; on February 3 he wrote to the Regent, apparently with no idea of abandoning his enterprise. His army had been sent forward towards Aberdeen, understanding that he was to follow. Yet after writing the letter of February 3-14 to the Regent, of which we have an unfinished copy, he suffered himself to be induced to embark with Mar and others on the following day (February 4-15). On the evening of February 3 James saw an envoy of Huntly's. He asked, "with emotion," "what Huntly is doing."³⁵ The answer, "Nothing," decided his flight. He first wrote, on that date, a letter to Argyll. He cannot think, he says, of leaving the country without repairing

the loss of the inhabitants of the burned villages. He therefore consigns "to the magistrates of —— the sum of ——," imploring Argyll, "as a lover of your country," to employ the money for the compensation of the people, "that I may at least have the satisfaction of having been the ruin and destruction of none at a time when I came to free all. . . . I thought to write this in my own hand, but had not time."

A copy of this very characteristic letter is among the papers of the Thrieplands of Fingask. But the copy at Windsor Castle is marked, in James's own hand, "Never sent."³⁶ He certainly wrote to General Gordon giving his orders, and empowering him to send the letter to Argyll, but Gordon never sent it.* James's intentions were humane but futile. He sailed away with Mar and Melfort, and sent for Marischal, who, according to the little account of him by d'Alembert, refused to come. Marischal was despatched by the dispirited and deserted army to try whether Huntly would stand by them. Of course Huntly would not, and the remnant met and broke up, like Lord George Murray's remnant after Culloden, at Ruthven, in Badenoch. It is certain that honour might have been won by a stand at Perth, but the army had only seven hundredweight of powder,—so Hamilton, who knew, told the Regent. Marshal Keith, in his Memoirs, says that powder for one day's fight might perhaps have been procured at Aberdeen. Even in these circumstances the army would have trusted to the broadsword with joyous hearts. But princes do not take, or are not permitted to execute, such resolutions. In fact, the game was up. An army drifting about, without ammunition, without supplies, under a proscribed leader valued at a great price, in the worst of wintry weather, cannot exist.

Thus ended an affair which caused ruin, blood, and tears enough to men and women, nobles and peasants. In the whole there is nothing to be praised but the spirit of the fighting-men, Highlanders or Lowlanders.

"Here's to every honest man
That will do't again,"

says the song, and they "did it" again and again.

* Or did James never send it to Gordon?

NOTES TO CHAPTER IX.

- ¹ Patten, *History of the Late Rebellion*, p. 39.
- ² *Lancashire Memorials*, v. 197.
- ³ *Lancashire Memorials*, v. 106-108.
- ⁴ *Lancashire Memorials*, v. 179.
- ⁵ Sinclair, p. 161.
- ⁶ *Stuart Papers*, i. 486.
- ⁷ Sinclair, p. 187.
- ⁸ Major Fraser's Manuscript, ii. 11.
- ⁹ Major Fraser's Manuscript. Edited by Lieutenant-Colonel Alexander Fergusson. Two volumes. Edinburgh, 1889.
- ¹⁰ Sinclair, p. 243.
- ¹¹ *Stuart Papers*, i. 471. December 1, 1715. (No date or place.)
- ¹² *Stuart Papers*, i. 472-474.
- ¹³ Sinclair, p. 287.
- ¹⁴ Sinclair, p. 294.
- ¹⁵ Sinclair, p. 299.
- ¹⁶ Sinclair, p. 301.
- ¹⁷ Sinclair, pp. 302-304.
- ¹⁸ *Stuart Papers*, i. 453.
- ¹⁹ *Stuart Papers*, i. 456.
- ²⁰ *Stuart Papers*, i. 458, 459.
- ²¹ *Stuart Papers*, i. 466, 474.
- ²² Rae, *History of the Rebellion*, p. 336.
- ²³ Sinclair, p. 334.
- ²⁴ Mahon, vol. i., Appendix, p. xl.
- ²⁵ *Stuart Papers*, i. 483, 484.
- ²⁶ Mahon, vol. i., Appendix, pp. xl-xliv.
- ²⁷ Rae, *History of the Rebellion*, pp. 351-358.
- ²⁸ *Stuart Papers*, i. 490, 491.
- ²⁹ *Stuart Papers*, i. 492, 493.
- ³⁰ *Stuart Papers*, i. 493, 494.
- ³¹ *State Papers, Foreign, France*, vol. 160.
- ³² *Stuart Papers*, i. 496.
- ³³ *Stuart Papers*, i. 503.
- ³⁴ *Stuart Papers*, i. 504, 505.
- ³⁵ Sinclair, p. 359.
- ³⁶ Browne, *Highland Clans*, ii. 340, 341; *Stuart Papers*, i. 505.

CHAPTER X.

THE SEQUELÆ OF THE RISING.

1716-1717.

THE flight of James proved to have been made not a day too soon, if he wished to escape the pursuit of Argyll and the consequences attending his presence with an army lacking ammunition and supplies and cut off from a base. Cadogan, with three regiments and 600 foot, reached Montrose on February 5-16; Argyll on the same night was at Brechin with all his dreaded dragoons; and the Dutch forces occupied Arbroath. On February 8-19 the Duke arrived in Aberdeen: the Jacobites had reached the town on February 6-17, and had there been disbanded by Gordon, who read the farewell letter of James. The contemporary historian, Rae, says that Gordon and the other leaders pretended to be surprised, "though they were in the secret design before they left Perth," but this is not correct: the design of flight was only decided on after the arrival at Montrose. Many of the chief men hurried to Peterhead to take shipping, which James despatched as soon as he landed at Gravelines (February 10-21).¹ The main body of the fugitive army broke up at Ruthven in Badenoch, whence General Gordon, the Earls of Linlithgow and Southesk, Struan, Clanranald, and others, sent a letter to Argyll. They appealed to his patriotism: they had suffered "many and great hardships since the late Union," and on this point they expected his sympathy.

The peril of their own lives afflicted them less than the imminent ruin of many old and worthy families. They implored the Duke to secure an indemnity for all who would promise to live peaceably at home, and liberty for others to "pass the rest of their lives beyond seas." He would thus strengthen himself by the gratitude of many noblemen and gentlemen.²

Meanwhile Seaforth was at his castle of Brahan, in Ross (February 18-19), and, having made his submission, appears to have thought himself safe. "God forgive him and Huntly," writes Captain Straiton to Mar in France (February 28 to March 10). But while Seaforth was ill-thought of at Saint Germain, he had really retired to his great isle, the Lewis, with his men, while Huntly had gone to London to make his peace.³ Marischal, Tullibardine, and Seaforth hid in the Highlands and the Isles till they could escape to France, where Mary of Modena received Marischal's brother, the future field-marshal, very kindly. "Had I conquered a kingdom for her, she could not have said more," says Keith in his Memoirs. She gave him 1000 livres out of her poverty, and James gave both brothers, and many of his other followers, such small pensions as he could afford. Seaforth and the two Keiths were the mainsprings of the next rising in 1719. Argyll, "having gloriously finished the most laborious and hard campaign that ever was known," says Rae, left Cadogan to pacify the country, and on March 5 set out for London, where he was not very graciously received. Cadogan had sent bad reports of him to Marlborough, who was actually receiving an old servant of James II., Captain Floyd, and lamenting the distresses of the Jacobite cause. He wept,—

"Down Marlborough's eyes the streams of dotage flow,"—

and protested that he would serve King James.⁴ Cadogan says that Argyll "seemed thunderstruck" when he heard of the Jacobite retreat from Perth, and that while the regular army was not allowed to loot, Argyll sent his Campbells a day's march ahead to plunder the towns. Cadogan wrote in French, that his letter might be shown to King George; and the Duke suffered, in the loss of his posts, from this creature of Marlborough.⁵ It is quite certain that, without Argyll, Mackintosh would have entered Edinburgh, and at least secured recruits and supplies; while, with a very small force at Stirling, Argyll held Mar far north of the Forth. Argyll alone kept down the flame in Scotland, and being thus ungratefully treated, and at feud with "the Squadrone" in Scottish politics, he made his court to the Prince of Wales. Finding him "a worthless giddy-headed creature," says Lockhart, he retired to the country and "seemed highly discontented."⁶ The nature of the offence for which he was deprived of his command was probably no more

than the reports of Cadogan and the intrigues of the double-faced Marlborough.

Meanwhile, in France, James was discarding Bolingbroke for much the same sort of reasons as influenced George in his treatment of Argyll. On touching at Gravelines James had at once appointed Mar to the highly confidential post of Gentleman of the Bedchamber.⁷ This boded ill for Bolingbroke, for Mar had won the king by his apparent sacrifices for the Cause, and Mar needed a scapegoat to bear the sins of his own failure. On February 26-27 James was to lie in a house near Saint Germain, as he was not allowed to reside with his mother, whom he naturally desired to see. Here he was to meet Ormonde, Mar, and Bolingbroke.⁸ On March 4, 1716, we find Bolingbroke, in a letter to Mar, conscious that he will be blamed for not sending ammunition to the army,—“I shall not be much disturbed at the reflection.”⁹

Now Hamilton, the defeated of Sheriffmuir and James's envoy to France, had reported unfavourably of Bolingbroke. He had told him that the army at Perth had not 7 cwt. of powder, and Dillon, who was present, told this to the Regent. The Regent ordered 6000 cwt. of powder to be sent immediately to Scotland, and complained that Hamilton had not been brought to see him. Bolingbroke never brought Hamilton to him, and this was reckoned neglect of duty, as the serious concern of the Regent for James was apt to evaporate, while Hamilton might have kept it alive. The Comte de Castel Blanco also complained that, while he was ready to forfeit 20,000 crowns of his own to send, in breach of guarantee, the arms and ammunition of the Cause which had been stopped at Havre, his action was countermanded, apparently by Bolingbroke, in December.¹⁰ On March 5 Mar wrote to General Gordon, dwelling on “the negligence,” or worse, “of some people,” that is, Bolingbroke. On March 6 James wrote to the Regent, saying that a report had arrived from his friends in England, on the strength of which he was about to deprive Bolingbroke of the Seals. He had also broken with Berwick.¹¹ On March 11 Mar writes to Captain Straiton in Scotland about “the mighty cry here” against the negligence of Bolingbroke. Moreover, Ormonde and Bolingbroke cannot work together. On April 6 Mar accepted the Seals. Bolingbroke (April 21) told Dicconson, who came for James's papers, that the English charges against him were utterly “false, virulent, and even contradictory.” Apparently James thought

that they represented the opinion of the English Tories, but "he would find it hard to lay hold of the Tory party in England."¹² Was Atterbury, Bishop of Rochester, concerned in the English memorial against Bolingbroke? On August 28 Mar wrote to Atterbury, "I need say little of Bolingbroke, now you know all that relates to him. . . . *It was the previous knowledge of your sentiments of him that determined the king to act as he did.*"¹³ This phrase suggests that James broke with Bolingbroke on the suggestion of the Bishop and those who acted with him, "the report from England." But Bolingbroke attributed much to the influence of the Jacobite ladies among whom James tarried for some days, living at a house in the Bois de Boulogne, and seeing the Regent's Secretary and the Spanish and Swedish Ministers, instead of taking Bolingbroke's advice and retiring at once to Lorraine.

James may have had a private ground of grudge against his Minister. In one of the letters which passed, Bolingbroke defending himself against charges made against him in England, and an unnamed writer replying with great vigour, this disputant avers that at an important meeting with Ormonde in the autumn of 1715 Bolingbroke was intoxicated. Now General Bulkeley, who was of James's household, told Lord Waldgrave, who noted the story in his diary, that Bolingbroke when drunk spoke of James in abusive terms. Ormonde repeated his words to Mar; necessarily *after* James's return to France Mar told James, and Ormonde was obliged to corroborate Mar in the king's presence. This source of vexation may have partly determined James to dismiss his intemperate adviser.¹⁴

The influence of pretty Jacobites would also be exerted during James's stay in the house in the Bois de Boulogne. Bolingbroke and they were no friends. The fair Olive Trant is found writing to James in terms which show that he had been in her society (March 18).¹⁵ Fanny Oglethorpe also writes to Mar (March 28), asking James to pardon a Mr Macdonnell if his only fault is intimacy with Bolingbroke.¹⁶

There was thus a combination of causes to irritate James against his Minister. It can hardly be maintained that he lost much in losing that servant, for Bolingbroke's management of his own fortunes at the close of Queen Anne's reign was unspeakably inept. A man who was "still drinking like a fish," and otherwise conducting himself "like a goat," as Swift wrote to Stella, was not

likely to keep secrets better than the tattlers of Saint Germain, whom he accused of half the mischief. Berwick attests his capacity, industry, and honour, which outweighs much tattle, and Berwick was discarded with him.

A number of letters and papers on Bolingbroke's affairs were published in London in 1735, and immediately suppressed.¹⁷ They contain articles against Bolingbroke (London, March 16, 1716), but this cannot be the charge mentioned by James to the Regent on March 6 as made by "a person of confidence of my party in England," if the dates are correct. The paper of March 16 is based on Hamilton's letter of February 13. Bolingbroke, in reply, said that he knew of the design to discard him before the neglect to send powder was "so much as talked of." "The true reason flows from another source" (Atterbury? Mary of Modena?). Later, Bolingbroke said (April 4) that he could not speak out "without exposing some characters in such a light as will shock everybody." But he was thwarted, first, "by the riveted prejudices of *one person*." This probably means that James would not give up his religion, for Bolingbroke maintains that all he did was on a Protestant footing. Yet he knew, while Minister of Queen Anne, that James would not barter his faith for any number of crowns.

Probably his religious grievance against James is revealed in a letter of Mary of Modena to her faithful retainer, Dicconson (August 30, 1716). "The Lord Bolingbroke said one day at his table before several people that for his part he never acted out of any love or regard for the Chevalier's person, but entirely in obedience to his party [the English Tories]. That the Chevalier could keep no secret. . . . That he was blindly led by priests, who had altered the Declaration worded by Bolingbroke, particularly in these words, '*will protect the Church of England*' into '*will protect his subjects of the Church of England*,' which is visibly fallacious and equivocal."¹⁸

Bolingbroke's second grievance, by his own showing, was that James would keep his mother, Mary of Modena, informed of his plans. James's own son was to act otherwise to himself—and what the queen knew "the whole rabble of the Court of Saint Germain" knew. They caused the third difficulty. He "broke all measures with them." Later still, he blamed Ormonde for heading an English cabal against him. He admitted that Mar constantly, six times,

wrote for ammunition and supplies, but he "did not understand there was any particular want of powder more than of any other species" till Hamilton came. He "could not speak plain" on the affair of Castel Blanco. Why, he asked, should Hamilton be allowed to see the Regent? Why not, as the Regent wished to see him? He never corresponded with Marlborough, but he heard of Marlborough's doings through Berwick and others. He "will never serve the same people again," and "has withdrawn himself almost entirely from the world." A long reply was written, in which it was urged that "an innocent man, with his Lordship's pen, could have made a more plausible defence." It was alleged that Bolingbroke did deal with Marlborough, who was no friend of Ormonde, and, with truth, that Bolingbroke was hardly qualified to preach Gospel truth to James. When with Ormonde, on an important occasion, he was drinking heavily, probably this was the moment he spoke with indiscreet candour about James. *Enfin*, James lost little in losing Harry St John, though in Mar he was not more fortunate. Bolingbroke at once turned his coat, devoted himself to currying favour with Stair, and, in his letter to Sir William Windham and by other means, did his best to obtain the pardon of George and his Ministers. But he was not allowed to go home till Atterbury's conspiracy and exile. The friendship of Bolingbroke with the famous English wits, and his own brilliant gifts, have won sympathy for a most untrustworthy and reckless politician, and have increased the obloquy in which historians envelop the character of "the Old Pretender."

Meanwhile "Jamie the Rover," as the old Jacobite song calls him, shut out from Lorraine, lurked in various places. On March 21 he was near Châlons-sur-Marne. Far from resenting the forced inhospitality of the Duc de Lorraine, he addressed him in terms of the most sincere gratitude. "I should be the lowest of mankind if I cherished any other sentiment. . . . You know my heart, and I know yours; I do justice to your feelings, as I trust that you do to mine. Excuse this little expression of my emotion, which I cannot resist. It will convince you that my gratitude and affection will never change with changes of time and place. Believe me, I hope sincerely that absence cannot undo our close friendship, which I trust may exist between us till the last moment of my life. . . . French regard for French interests does not permit me to stay long in France; my regard for your interests prevents me from lingering

in Lorraine, and it is decided that I go to Avignon to await replies from Sweden. . . . Our poor Scots have escaped into the hills—a death by slow fire: God knows how they will exist, and what manner of terms they may obtain, resourceless as they are. I have sent them two ships in the hope of saving some of them. You will have been touched by the death of poor Lord Derwentwater: he died as a true Christian hero. . . . My news are sad indeed, and crushing to me who thought myself in a manner happy, while I was alone in my misfortunes, but the deaths and disasters of others of which I am the innocent cause pierce my heart” (March 21, 1716).¹⁹

The king seldom spoke out: in this letter he shows his heart. But in his position, and with his upbringing, he believed that ceaseless enterprise was his duty both to himself and to the country whereof he was king by right of birth. Perhaps no man of his age, twenty-seven, and in his day, would have announced to Europe that he left his cause to his country, and that he would never stir or encourage his adherents to move till he was summoned home by the British Parliament. Yet in that course alone lay the chance of rest, peace, and happiness for James and the three kingdoms. Meanwhile he assured the Regent of France of his gratitude and friendship. “I am charmed,” he wrote to the Regent’s secretary, “by his frankness and sincerity towards myself. These are his own, the rest is an inevitable submission to political necessity.”²⁰ Early in April, James, Mar, and Ormonde were settled at Avignon. In the old and beautiful pontifical city on the Rhone Fanny Oglethorpe told Mar that she feared they “would be a little dull.”

Meanwhile, in Scotland, there was “nothing but an entire desolation from Stirling to Inverness. The Dutch have not left a chair nor a stool, a barrel nor a bottle, *enfin*, nothing earthly undestroyed,” and the English troops are very little more merciful. It was expected that feudal superiorities would be abolished, “so that the Duke of Argyll himself shall ere long have no more than his vote. . . . Besides, great numbers of the common Highlanders will be transported. . . . A great many Roman Catholics turn Protestants.” So Menzies wrote to Father Innes of the Scots College in Paris.²¹

While James, at Avignon, was weaving again the Penelopean web of intrigue, the rejoicings were “great in Lancashire.” It was revealed to a Quaker in Lancashire that “these backsliders from

the Truth, who profanely call themselves the Church of England and the Kirk of Scotland, are nothing but the Worshippers of Baal and Dagon." The Kirk of Scotland is put in the category of Baal-worshippers, innocent of Jacobitism as she was! "We hear that one of our sisters named Hannah, whom we hoped would have held forth one of these days, alas, she, even Hannah, has fallen down beneath one of the half naked brauny Pagans: tho' it is hoped she may rise again, yet she cannot be received into our Bosom, till she be twin'd of the Bloody Offspring of that Anakite." So writes a Quaker, "Gabriel Dutton, on the nineteenth of the ninth month of the year called 1715,"²² or so some mocker parodies the style and ideas of the Quakers.

The hangman went to work, to the joy of the enlightened English. Highland instruments of torture, destined for Protestant martyrs, were exhibited in woodcuts for the edification of the loyal.²³ In January 1716 a Commission of Oyer and Terminer was sent to Lancashire to try the rank and file of the Preston prisoners at Liverpool. The number executed at different towns, Lancaster, Manchester, Wigan, and so on, seems to have been about thirty.²⁴ The head of Mr Shuttleworth, a Catholic, was impaled on the town hall at Preston. The Scottish victims were in many cases labourers: most of those who bear Highland names are described as gentlemen. About a thousand prisoners put themselves at the king's mercy, and prayed to be transported. The entrails and hearts of the men executed were burned in fires of faggots at the gallow's foot, the bodies were quartered. Among the victims was Siddall, a Manchester blacksmith who had led the Sacheverell mob: his son was executed after the 'Forty-Five. The mass of prisoners was sent to provide slave labour in the colonies. In fact, except for the absence of torture, illegal in England, the Government handled their prisoners in the style of the Scottish Government of the Restoration, after the Pentland Rising, and the rebellion crushed at Bothwell Bridge in 1679. Nothing more or less was to be expected.²⁵ Punitive proceedings under Henry VIII., Elizabeth, and James II. after Monmouth's rising had been much more drastic. Several prisoners, even Highland prisoners, were acquitted; others, not of the thirty, were respited and probably were transported. No contemporary Government would have been more lenient.

The noble prisoners of Preston, Derwentwater, Nithsdale, Ken-

mure, Carnwath, Widrington, and Wintoun were impeached in January 1716, and tried before the English House of Lords. All but Wintoun pleaded guilty, and put themselves at the mercy of King George. Nairne was pardoned: tradition ascribes his good fortune, says Lord Mahon, to the intercession of Stanhope, who had been at Eton with him.²⁶ An argument for severity might be drawn from the fact that Nairne's son was out with Prince Charles in 1745; while the Kenmure of that year, remembering the Kenmure executed in 1716, went no further in 1745 than presenting Prince Charles with a barrel of beer, so says family legend. Young Lady Derwentwater in vain appealed in person to King George, and in vain did Lady Nithsdale throw herself at his feet. If there were to be any capital punishments, the king could not have subordinates executed, men perhaps "forced out," while he spared the responsible leaders. George may have been as reluctant to consent to the deaths of these men as James was to assent to the burning of the Perthshire villages. Yet the House of Commons was inclined to lenity. Sir Richard Steele, of course, though a Whig, was all for mercy, and only a majority of seven carried Walpole's motion for adjournment till the first of March, after the executions.²⁷ By a smaller majority the Lords voted an address to George for a reprieve to such of the captive nobles as deserved his mercy. Nairne, Carnwath, and Widrington, "who showed little tenacity at Preston," received the benefit of the royal clemency, which, however, did not retain in office Nottingham, his son Lord Finch, and his brother Lord Aylesford, active in the address for reprieve. These are Sir Robert Walpole's "family of the Dismals," and Horace Walpole's "black funereal Finches." Lord Nithsdale's famous escape in the costume of his heroic wife was made on the night before the day of execution. Despite the lady's own published narrative, it is hard to believe that escapes like this, of Argyll from prison in Edinburgh, or of James Mor Macgregor later, are ever made without collusion. In James Mor's case it had already been schemed that he should get clear, as a useful tool of Government; and Charles II. certainly did not want to detain Argyll, and refused to have him rearrested in London.

On February 24 the beloved and long-lamented Derwentwater suffered on Tower Hill. He confessed his faith as a Catholic, withdrew his plea of guilty, and acknowledged his rightful king,

whose lament for him as a Christian and a hero we have given. The bulk of his estates was settled on Greenwich Hospital. Kenmure, like Derwentwater, renewed his profession of loyalty to James. His estates are still in the possession of his descendant in the female line. Wintoun was tried, and, being refused counsel, conducted his own defence with rough humour. He was allowed to escape from the Tower: it is hardly credible that there was no connivance at these evasions. The escape of Charles Wogan, Brigadier Mackintosh, Talbot, "the Crow," and others, from Newgate (May 4), was due to their own fists. They knocked down the keeper and turnkey, disarmed the sentinel, and walked out of the yard into the streets. Several were retaken, but Charles Wogan entered a house and made his way over the roofs to a place of safety.²⁸

Colonel Oxburgh was executed on May 11, and his head was set up over Temple Bar,—an unhappy survival of the manners of the Trojans, as described in the *Iliad*. London juries were lenient, and acquitted Townley and Tildesley, while a fresh jury, to gratify the judge, found Captain Nicholas Wogan guilty.²⁹ But Nicholas lived to be very busy in Atterbury's plot, to lose an arm at Fontenoy, and to fight in Scotland with Prince Charles, as we have seen. In addition to these, two out of twenty-four condemned prisoners were executed in July—namely, Mr Hall, J.P., of Otterburn, and the Rev. William Paul, a Non-juror, who died very manfully, wishing that he "had quarters enough to send to every parish in England." Mr Edward Swinburne of Capheaton, with several others, died in prison.

It would not, perhaps, have been safe, and it was deemed impolitic, to try and to hang in Scotland the prisoners taken in that country. No man had been more serviceable to the cause of Hanover and of the Union than Duncan Forbes of Culloden. He had smoothed the way for the repentant and useful Lovat's capture of Inverness,—a very heavy blow to the Jacobite Cause,—and generally had worked for the security of the north of Scotland. No man knew his countrymen better than Culloden, and he wrote, or is said to have written, an anonymous letter to Sir Robert Walpole, George I. being then absent in Hanover. He declared that the British Ministry was "pursuing measures ruinous to Scotland." But the prisoners were tried in England, at Carlisle, in November.³⁰ This was an insult to Scottish justice, and a national subscription

was raised, while eminent advocates were sent across the Border to instruct the English barristers retained by the accused. "The Government was so fastidiously attentive to English privileges that it would not shift prosecutions from one county to another without an Act of Parliament, while a multitude of Scottish captives were removed for trial in England without a thought."³¹ These proceedings were so clearly dangerous that, while several prisoners were condemned, not one was executed.

Secondly, urged Culloden, many prisoners were detained in gaol. Thirdly, "a vast number of Scots gentlemen and noblemen were attainted." Fourthly, it was put out of the king's power to grant any portion of the forfeited estates. Fifthly, "a Commission was appointed for inquiry, and for levying the rebels' goods and chattels." Now, argued Culloden, there were not two hundred gentlemen in Scotland who were not of near kin to one or other of the insurgents. They could not endure to witness such vast ruin of their kin, and the discontents would be most dangerous. Thousands of innocents would wander about the country, provoking pity and indignation. The case of creditors under the Forfeiture Bill was especially hard. The whole country hoped that the king "will overturn that fatal Bill." If not, a standing army would be necessary: that would cost £100,000. The forfeited estates were not worth £20,000, for men of wealth had kept clear of the Rising. Culloden suggested measures of security, and denounced the Squadrone, now in power, as a set of men long detested by the country, and now busy in blackening the reputation of Argyll. Cadogan's intrigues, already noticed, Culloden denounced. He had insisted on pursuing the clans into the hills, and had been reduced "to save his own shame in making articles with a puny Highland chief, G——." In this unworthy style Culloden indicates Glengarry, in no way "puny," but "famous for obtaining conditions of the British general, which afterwards were ratified by a formal remission." "G——" had recently been in Edinburgh welcomed at the councils of the Squadrone. "He is the worthlessest rogue living," says Culloden, who himself was hand and glove with the gracious Lovat. The writer, who is vastly interested in Argyll, ends his letter with a threat, very astonishing from such a person. The editor of the 'Culloden Papers' (1815) publishes this piece from a copy of an extant example in the hand of Forbes of Culloden, but it is natural to doubt his authorship. Lovat informs

Culloden that, by the account of Ross of Kilravock, "Glengarry is the greatest knave on earth to the Duke of Argyll," and this might account for Forbes's wrath against Glengarry (April 7, 1716).³² But it would be rash to dogmatise on the authorship, though the plea for mitigation of severity is much in Forbes's manner: his enemies declared that he was a Jacobite.³³

Even the principal officers of the crown for Scotland shared the emotions which are expressed in the anonymous letter attributed to Culloden. The brother of Stair, Sir David Dalrymple, the Lord Advocate, complained that he was hardly spoken to at Court. He wrote to Stair that the Forfeited Estate Bill "is by much the worst I ever saw." The Prince of Wales, then much under the influence of Argyll, was said to be for amending it. During King George's absence on the Continent, the Prince held a kind of regency without the title of Regent; but Argyll was technically "disgraced" on a charge of bullying the Lord Chief Justice, a charge denied by that official himself.³⁴ Sir David Dalrymple's opposition to the treatment of Scotland caused him so much discomfort that he went abroad, and Stair was unofficially warned of his brother's discredit. Dalrymple must implicitly obey Roxburghe, now a duke, who was Secretary for Scotland and had the confidence of George I.³⁵ The English Government, in short, had irritated all Scotland, which was without means to resist, as nothing could reconcile the majority to the Jacobite alternative.

The one person who profited by the Rising of 1715 was the rogue Lovat. The country had been harried and plundered, trade had been hampered, the Presbyterian ministers had been "teased" by jovial cavaliers, the cess money had been raised by Mar and spent on everything but ammunition. On every side fortunes had been wrecked and homes made desolate. Argyll had lost place and power, but Lovat secured the escheat of his rival for the chiefship of the Frasers, Mackenzie of Fraserdale, while he and General Wightman divided the silver plate of that unfortunate Jacobite. Argyll prevailed on the chief of the Grants to give the hand of his sister to the double traitor. It cost Lovat, now Lord Lovat, some pains to attain all his desire, and in 1716 his retainers, if not himself helped themselves to the horses of Dunbar of Thunderton. *Pæna, pede claudo*, was on the track of this miscreant, but thirty years passed before she reached him.³⁶ The Squadrone cannot have been wholly evil, for its members, as Lovat complains to

Forbes of Culloden, "have resolved to do their best to ruin me *du fond en comble*, to break me as to my commissions and my gift, and to set up a Fraserdale in odium of Argyll and of myself as his partisan." The Squadrone sided with Montrose against Argyll, for the old feuds of Graham and Campbell were still full of life under the new conditions of society.

It is interesting to see how the whole affair of the Rising affected a simple citizen like Wodrow, the learned historian and minister of Eastwood. He attributed the trouble to the remnant of Catholicism, never sufficiently persecuted by William III., and to the Episcopalian clergy of the north, "the outed clergy," who had been tolerated "in such odd and boundless terms as want a parallel in any established Church." The Patronage Act had also strengthened the hands of the disaffected gentry, "and kept great numbers of parishes vacant." The Presbyterian clergy had been driven from their pulpits in the Mearns and Angus by methods "worse than Turkish"; but what the special atrocities were Wodrow "blushes to write." In fact, letters from ministers in the Mearns say that they "have been obliged to leave their churches and preach in their own houses,"—which hardly reached the Ottoman level of ferocity. In other cases preachers are said to have been "driven from their houses and plundered," like the conformists in 1688-1689. Cadogan was much more affable to the afflicted ministers than Argyll, on whom "a great many waited but could not get a word from him." At Arngask the Highlanders, namely the Macgregors, robbed a congregation of their Bibles and their boots. Rob Roy was reckoned "the fairest and most discreet among them." His clan seems by this account to have plundered in a general way; but no one else is charged with such cold-blooded acts as Lord George Murray, in the burning at Auchterarder. One Highlander, indeed, sold a Bible, which he had stolen, to a woman, and then resumed possession of the book without restoring the purchase-money. An honest merchant at Montrose was compelled to drink the health of the Pretender, but, *conversis rebus*, he extracted a fine from his assailants, who drank King George's health with him!³⁷ Perhaps Wodrow's remarks on the more than Turkish iniquities of the clans may be a trifle exaggerated.

The majority of Scots at this time, while relieved from the terrors of Popery and the Pretender, writhed under the sense of being citizens of a conquered country,—their laws trampled on;

their counsels rejected; their friends ruined and exiled; their hero, the Duke of Argyll, disgraced. They had to endure as best they might, and cast no wistful eyes on the exiled Court and king at Avignon. The Court there was being overcrowded with fugitive Jacobites, for whom James tried, with little success, to secure commissions in the armies of Spain and Sweden. France could not and would not help, for she was negotiating the Triple Alliance with England and Holland, a condition of which was that James must be driven across the Alps to Italy, where he would be more remote, and the more distrusted at home as a guest and pensioner of "that odious beast and lecherous swine, the Pope of Rome," to quote the edifying recantation of a canon of St Andrews, written when Knox was in that city, in the spring of 1560. The view of the Papal character thus tersely expressed was very general in Scotland, hence the anxiety of the English Government to drive James into the arms of the Pope.

A number of Jacobite gentlemen had been driven to Ultima Thule, to Ormaclett in South Uist, whence (April 22) Clanranald, the son of the chief slain at Sheriffmuir, wrote to Mar concerning their fortunes. His letter is singularly well expressed, and shows a loyal heart as well as an accomplished education. Many gentlemen, he said, were leaving on the *Marie Thérèse*, a ship sent by James with supplies. They believed that the money left for them by James at his departure had been dishonestly distributed. Clanranald gave Mar a full account of the movements of the army which Mar and James had deserted at Montrose. "I was both sorry and vexed to see the effect which" the king's letter of farewell "produced on some. . . . For my own part, I was the less surprised, . . . as I had long foreseen things must have ended in this or a more fatal point, which made me bless the happy genius that saved our king, though he could not save the country." Thus delicately did Clanranald break to Mar the news of the disgust of the leaders and army. It becomes plain that the Earl Marischal was among the most angry, and that between him and Mar the feud was to be irreconcilable, "a settled grudge." It was Marischal who summoned Huntly to join the army, still undispersed; but Huntly burned the carriages of the guns meant for the siege of Inverness and buried the cannons, "in reality lest we should attack Inverness with them." Clanranald was still full of fight, but Glengarry made terms for himself; and Clanranald

and the rest soon saw that exile was to be their fate. The news reached Avignon, being carried by Captain Sheridan (the Sir Thomas Sheridan of 1745, Prince Charles's tutor), on May 19.³⁸

To Avignon set the tide of refugees, among them a sinister figure, a Captain Macdonald, "a shag-faced thin fellow, and is a very great rogue," writes Arbuthnot from Rouen, June 11, 1716.³⁹ This appears to be the Macdonald mentioned (August 13) by Menzies, the Jacobite agent in London, to Father Innes, S.J. In any case, Menzies speaks of a Macdonald to whom the English Government offered the pay and position of a spy on James. He was advised by a Jacobite, Mr Philips, to accept the post, but to deceive his employers. When Macdonald set out "*with that Colonel*" (Colonel Douglas, Stair's emissary against James in November 1715?), English Jacobites were alarmed, says Menzies.⁴⁰

This Macdonald arrived at Avignon and told James his errand, and that he had come by the advice of Jacobite friends. The English thought him their spy, but he was there, as a loyal subject, to mislead his employers. So Mar wrote from Avignon to Menzies on July 16. "He is to be sent from hence one of these days," adds Mar.⁴¹ He *was* expelled from the town, with no money, and with the intention of going to Lyons, as we know from two undated notes of his. The date is certainly after July 16,⁴² to judge from Mar's letter of that day. But on July 3 Lord Stair enters in his accounts for extraordinary services, "July 3, paid for Alexander Macdonald at Lyons, for his Majesty's service, £33, 6s. 8d." Alexander Macdonald was the name of this ambiguous personage, yet, from Mar's letter, he seems to have been at Avignon as late as July 16. In any case he made, as his own notes show, for Lyons after leaving Avignon. On August 15 Stair notes, "Paid for said Macdonald's relief and subsistence at Lyons and Geneva, *after his misfortune at Avignon*, £66, 13s. 4d."⁴³ In September Stair sent Macdonald to England. On September 19 Father Graeme writes from Calais to Mar, "If I be not very much mistaken, Douglas, who undertook to murder the king [James], arrived here yesterday by the packet boat and went straight towards Paris."⁴⁴ It is an obvious conjecture that this is the Colonel Douglas whom Saint-Simon, as we saw, accuses of having been suborned by Stair to murder James in 1715.⁴⁵ After his failure he found doors closed on him in Paris, among others that of Saint-Simon; "soon afterwards he disappeared from Paris. I

know not what became of him.”⁴⁶ On August 6, 1715, James himself, writing from Bar, mentions a suspicious Mr Douglas who has been haunting the town.⁴⁷ In a letter from London, unsigned and undated, the writer says that Stair has suborned, as assassins, a Mr Elliot and “Mr Douglas, commonly called Count.”⁴⁸

Did Macdonald, arriving in London in September 1716, send back this suspected Douglas to take his place, and is he the Douglas who, according to Saint-Simon, disappeared after his failure to slay or seize James in November 1715? Saint-Simon’s man had been a colonel in an Irish regiment in French service, disbanded. Is he “*that Colonel*” with whom Alexander Macdonald left London for Avignon? Is Alexander identical with that “Mr Macdonald who is going upon the account” of the Elliot-Douglas murder plot cherished by Stair, according to the anonymous, dateless London letter already cited?

These may be idle questions, yet we seem to reconstruct the figure of an ex-colonel of an Irish regiment,—a brave man, Saint-Simon admits,—failing in a plot of November 1715, disappearing from Paris, and acting as a spy of England.

These considerations bring us to their extraordinary sequel, a set of events not easily explained.

In the manuscripts of Cardinal Gualterio, the friend of James, is a letter to “Monsieur le Comte S’Esthers, ambassadeur pour sa Majesté Britannique, à Paris, dans son Hostel.” It is dated Orange, August 24, 1716. The endorsement is (in French), Copy of a letter intercepted, addressed to Milord Stairs, and signed “La Grange.”⁴⁹ The epistle, being interpreted, runs thus:—

“MONSEIGNEUR,—In spite of all my endeavours I was unable to reach this *Villeje* (*sic*) in time to find the person [Macdonald?]. But I inquired so adroitly as to discover that he had been dismissed. From the fashion of his dismissal, as described to me, I doubt not that he has taken himself out of the way. Thus the mission which you confided to him and me has failed. But, monseigneur, if you will trust me, I believe that I can succeed unaided. As long as you employ foreigners they will never succeed: only a Frenchman can escape detection.

“I have several plans for doing it. If poison fails, I will make use of one of these methods: either at the Mass, or in the town, or when he is taking a walk. I am confident that I can do for

him, and thus give repose to all our [*nostre*, query *vostre*] nation. Whether I am to live or die, I am resolved to destroy him; I am pledged to the king [what king?], and I shall think my death glorious if I take the person's life.

"These are my plans. I try daily to corrupt some one, so as to get a chance with poison: it is the shortest way—send me some by *le nommé* Desmenis as soon as you can, within a fortnight. I have no address, because I take my meals here and there, and seldom sleep in the town. As Desmenis knows this town [Avignon], he can find me on the bench at the left hand of the Porte St Michel any day after September 8. On my arrival there [at Avignon] I shall wait at the place mentioned every day from noon to one o'clock. I missed the best chance in the world. Having left my pocket-pistols at home for fear of exciting suspicion, I was walking near the town, and came to a place where the Chevalier de St George with all his suite was going to amuse himself at a convent about a league away. I wanted rather to see *our man*, whether he was in the suite or not, than to see the Chevalier. I therefore left the road and went into a vineyard. I was greatly surprised not to see *nostre homme*, and cursed the day when I missed such a chance to get rid of him [of the Chevalier]. I could have run through the vines, and swum the river before his suite could have got on to the road in the town [apparently so that they might cross the Rhone by the bridge]. As he goes to Mass it is even easier to take him off: the churches are sanctuaries, and there I can escape. Again, his favourite drive offers even a better opportunity, as it goes along the river, and one can shoot him and swim.

"All this I explain that you may encourage Desmenis: he will share the glory with me. For double assurance let him bring the poison: we shall thus run no risk at all. If he is brave, as he has proved so well, we shall not be obliged to stay here long. [Douglas had also given proof of great courage.] I await him with open arms. Assuring you that I am ready to die for my king, and for you, monseigneur, my protector.—With the deepest respect, your very humble, affectionate, and obedient servant,

"LA GRANGE.

"ORANGE, August 24."

The person here calling himself La Grange entrusted his precious effusion to a tailor, who appears to have given it up to the author.

ities. This tailor, later, on August 28, received another note from the author of the letter to Stair, asking him to visit that gentleman at his rooms, in company with the bearer of the note, who would show the way. After walking for two miles he was attacked by ambushed men, who, having missed him with their pistols, were pursuing him, when a crowd gathered and rescued him.* The others fled, and the tailor wrote to Avignon, enclosing the note of invitation, unsigned, but in the same hand as the long letter to Stair.⁵⁰

Next, the tailor's adventure being of August 28, we have Mar's letter from Avignon, of August 31, to Sir Patrick Lawless. He says that he intends soon to give full particulars "of a most hellish design against Le Vasseur [James], discovered by the greatest accident in the world. . . . It will show the world what wretches Heron [Hanover, George I.] and his people are. . . ." But it does not appear that proofs of "Heron's" iniquity were ever given to the world. Sir Patrick Lawless was James's agent in Spain.

Was La Grange a lunatic? He seems to have known about Macdonald's affair, if Macdonald is his *notre homme*, who has been expelled from Avignon. It is hardly conceivable that the whole business of La Grange was concocted by the Jacobites: it is rather risky for a practical joke, and there we leave this little historical puzzle.

At this period, in consequence of the Union, Scotland had practically no independent political existence, and the interest of the years following 1715 is that of the European and other combinations—the dreams of the Jacobite party. The publication of the papers of the exiled dynasty contains much personal matter hitherto almost unsuspected. We need scarcely dwell on the chimæras of the Duke of Leeds, whom Bolingbroke had tersely characterised as "mad." In April 1716 James, not without a smile we may suppose, had appointed the Duke to be Admiral and Commander-in-Chief of the British Fleet. Six years later the Duke, meeting James at the baths of Lucca, returned the honourable but compromising document. Admiral Baker, commanding the Mediterranean squadron, had been an officer under the Duke, whose idea

* Of this fray, my friend, Mr A. E. W. Mason, being at Avignon, found a record in the town's archives, which he copied: the transcript has unluckily been mislaid.

was to bring over Baker and his ships to the cause of the exile at Avignon. But James had as yet no answer to his request for permission to shelter his navy, when he got one, in Swedish ports, and the virtue of Admiral Baker was not attempted.⁵¹

In England the names, long associated with struggling Jacobitism, of Ezekiel Hamilton and Sir Harry Goring, a rich squire of Sussex, begin to appear, with that of Atterbury, Bishop of Rochester and Dean of Westminster, who had been eager to proclaim the king, on Queen Anne's death, if Marischal would back him with his regiment of the Guards. In 1715 Atterbury's name does not occur in the correspondence, though doubtless he was secretly engaged. Ezekiel, on April 7, from Paris, reports the results of a mission to England. Atterbury and Goring, with Lord Arran, thought it wise to consult General Webb,—

“As Paris handsome and as Hector brave,”—

the tall, vain, brave hero of Wynendael, and the deadly foe of Cadogan, and of Marlborough, who was now smitten by apoplexy. Webb was the darling of the soldiers. In his characteristic style he had told Sir Constantine Phipps that with 6000 regular troops he would undertake to defeat any forces that could be raised in England for the Hanoverian interest. His real motive, doubtless, was to measure swords with Cadogan. He determined, if a descent in force were made (but where was the force?), to join the king and Ormonde, as if Ormonde's were still a name to conjure with. His Majesty should land as near London as possible: the populace was still furious against the authors of “the late cruelties,”—incidents to which the Georgian world was very well accustomed. But Ezekiel remarked that, though there was plenty of money in England, holders were stiff. They would ask to what uses their money was destined, and, if they knew, Government would know. Atterbury was ready to announce the great day, when at hand, from the pulpit, and Dr Sacheverel will “lift up his voice like a trumpet.”⁵² For forty years or more this was the attitude of the English Jacobites. Let them be able to say, with Squire Western, “Thank God, twenty thousand honest Frenchmen are landed in Kent,” and they would do wonders. Twenty thousand honest Swedes, or Spaniards, or Irish, or Turks, for that matter, alone were needed, and “the Bark would sink,” and the Exchequer would be closed. It would have been closed, the very Whigs declared, if Forster had held out for

a week in Preston. Really, the Hanoverian dynasty seems to have had a tottering throne, and 5000 irregulars, thirty years later, all but overset it. Ezekiel calculated that Government could not bring 6000 men into the field in less than ten days; but, alas! James never could bring 600 from abroad.

Atterbury, with some sense, suggested that James should issue an explanation of his flight from Scotland. A pamphlet called 'The Hue and Cry after the Pretender' had appeared, written with a humorous brutality not unworthy of Swift, and accusing James of a censurable coldness towards the fair sex,—“A laggard in love and a dastard in war” was his character. The Apology⁵³ replies, truly enough, that the indolence of Huntly, the desertions of the Highlanders, the weakness and want of supplies of the Jacobites, with the Dutch reinforcements of Argyll, made Perth untenable, and that James's “duty to his people” rendered his flight inevitable, and that his presence would only increase the vigour with which all his scattered bands would be pursued. The reluctance of Mar to go, the tenacity with which the Earl Marischal refused to go, are stated; and James's orders to Gordon to compensate the burned-out villagers are reported, but the report was disbelieved. The courage of James in braving, with three companions, the minions of Stair in his journey to the coast, and again in travelling to Dunkirk, are lovingly dwelt upon, and he is declared to possess “all the great and good qualities that are necessary for making a people every way happy.” Mar drew up the paper; Father Innes revised it; James approved of it. But the people whom he was so anxious to make happy remained unconvinced.⁵⁴ Unexpected as is the Jacobitism of General Webb, the intrigues of Oxford (Harley) are still more surprising. He was still a prisoner in the Tower, and seems to have been approached in James's interest by a lady well known to him, Anne Oglethorpe (Anne Oglethorpe to Mar, July 9, 1716).⁵⁵

It appears highly probable that in their many strange vicissitudes the Stuart Papers, now in Windsor Castle, have been tampered with. Sir Walter Scott saw letters which have never been seen again. Sir James Mackintosh saw, at Carlton House, a letter from Oxford which neither Lord Mahon (Stanhope) nor the very careful Editor of the papers was able to discover. It appears, but dimly, that Oxford was to try to move the Regent of France; it is more certain that his messenger was no other than that unhappy

Ogilvie who, in 1708, had wretchedly served him as a spy on his friends, the Jacobites. Ogilvie had been a most remorseful spy: now he probably recovered his self-respect.

Ogilvie visited Mary of Modena in Paris, and went on to Avignon, whence Mar (September 21) wrote a letter for him to carry to Oxford. Mar professed to believe that Oxford had always been a friend of the Cause though thwarted by "others,"—Bolingbroke. Oxford will find James "every way, perhaps, the finest gentleman you ever knew." But Oxford never knew him. Walpole, early in 1717, resigned, and presently combined with the Tories in securing the failure to try Oxford, with his consequent release, in July.⁵⁶ Mar's letter to Oxford mainly referred to James's hopes from Charles XII. of Sweden.⁵⁷ Ogilvie carried a document appointing Atterbury his chief agent in England: in the cypher he is "Mr Rigg." He mistrusted Oxford, but was told that Oxford was now a loyal man.⁵⁸ Shrewsbury, too, was in communication with James: Shrewsbury was not happy, for the Jacobite agents had managed to misdirect and lose a letter written by him. James informed him of the hopes from Sweden, which were so soon to be dashed as usual. It is amazing that discontent induced so many men of fortune to deal with ex-spies, and the sanguine servants of an impossible Cause. Yet, till Atterbury's turn came, none of these rash venturers was betrayed. Mar was even obscurely trying to tamper with Islay, and through him with Argyll, whose disgrace was recent. The attempt was later renewed. The Marquis of Wharton was offering his alliance, and asking James for the Garter (September 25).⁵⁹ While George's thanes were thus discontented, the Court at Avignon was rent by the arrival of the Earl Marischal, full of his grievances against Mar. Apart from the question of Mar's flight, there was a dispute about a verbal message as to Marischal's share with Mar in the command of the Rising of 1715, apparently part of Lord John Drummond's premature and fatal communication to Mar in July of that year.⁶⁰

There was also trouble about an attempt by Mar to conduct a negotiation privately with Argyll in December 1715. In Mar's defence he averred that Argyll, or those about him, "were in a manner engaged" to give Mar notice before advancing against Perth.⁶¹ This is very vague; but Mar was apprehensive that his remarks, which are dim, might reach the Duke, whom he thought it not impossible to enlist. It is conceivable that Argyll would

have liked to see the Jacobite force at Perth break up and go home without the shedding of Scottish blood.

The two serious affairs in the history of the Jacobite party, in 1716, were their attempts to secure the favour of the Regent and to form an alliance with Charles XII., who had excellent reasons for lowering the power of George. As to the Regent, as he was weaving the Triple Alliance with Holland and England, his one desire was to secure the removal of James from Avignon. On June 14 de Magny told Mary of Modena at third hand that the Regent had observed, "I shall not be left in peace till I have made the king leave Avignon." "How will you make him do so," asked the confidant, "as you have no means of doing so?" "Yes, I have," said the Regent, "namely, by means of starvation."⁶² He could stop the pension received by Mary from France, and cut off whatever sums of money were doled out to her son.

General Dillon advised James not to leave Avignon except under force, and his banishment to Italy was not carried out at this moment. But to him, as to his son later, the ancient city of the Popes was to yield but a brief and uncertain hospitality. Stair, of course, was well aware of all his schemes, through a brother of Sir Thomas Higgons, a member of the Court at Saint Germain. He knew that the chief hope was from Sweden. In September James's health was very bad, and he suffered a painful but successful operation. "The Pretender," writes Stair to his Government on September 12, "is sending away his people, intending that his own move [of invasion], when it takes place, should be less observed." He expected an attack on England, with a feint or diversion at Scotland. Or again, merchants' vessels in the Mediterranean are to take James to Ireland.⁶³

Stair seems to have been gulled by false news from Marseilles (September 28) of James's departure from Avignon to Antibes, near Cannes, where four galleys were to meet him. On October 7 Stair reports the conclusion of the treaty, and that the Regent has told Queen Mary that her son must quit Avignon: Stair was disinclined to believe in the king's illness and operation, which were genuine. On November 25 Stair was convinced of this, and in good hopes that James would not recover. On December 11 he had bad news: the Pretender was slowly recovering. Meanwhile James and Mary, says Stair, pay to their exiled friends more than the whole amount of the queen's pension from France. It

cannot with fairness be said that the queen and her son were avaricious and ungrateful.

We have seen that many of the political prisoners were transported to provide the colonies with unfree labour. It is therefore not unpleasant to learn from Stair that seventy rebels on the voyage to Carolina seized the vessel in which they were being conveyed, steered her to Bordeaux, and seized all the money and goods on board. The Regent said that he would treat them as pirates. The Jacobites also bade their friends in England be wary of a Mr Johnston. "I'm afraid that is our man," says Stair: which of his spies we know not. By February 24, 1716, James had crossed the Alps, and entered on a new portion of his long and weary pilgrimage. So far his dealings with the King of Sweden had been indirect and interrupted, though not unhopeful.⁶⁴

NOTES TO CHAPTER X.

- ¹ Stuart Papers, i. 509.
- ² Stuart Papers, i. 512, 513.
- ³ Rae, p. 372.
- ⁴ Menzies to Mar, February 15. Stuart Papers, i. 507.
- ⁵ Coxe's Marlborough, iii. 392: 1848.
- ⁶ Lockhart, ii. 14.
- ⁷ Stuart Papers, i. 509.
- ⁸ Stuart Papers, i. 536.
- ⁹ Stuart Papers, ii. 2.
- ¹⁰ Stuart Papers, i. 502, 503.
- ¹¹ Stuart Papers, ii. 5.
- ¹² Stuart Papers, ii. 105, 106.
- ¹³ Stuart Papers, ii. 386.
- ¹⁴ Coxe's Sir Robert Walpole, i. 200, note 4: 1798.
- ¹⁵ Stuart Papers, ii. 23.
- ¹⁶ Stuart Papers, ii. 43, 44.
- ¹⁷ Tindal, iv. 476 *seqq.*
- ¹⁸ Stuart Papers, ii. 511.
- ¹⁹ Stuart Papers, ii. 34, 35.
- ²⁰ Stuart Papers, ii. 38, 39.
- ²¹ Stuart Papers, ii. 41, 42.
- ²² Lancashire Memorials, v. 174.
- ²³ Lancashire Memorials, v. 185.
- ²⁴ Lancashire Memorials, v. 192-195.
- ²⁵ Lancashire Memorials, v. 196-202.

- ²⁶ Mahon, i. 194.
²⁷ Mahon, i. 195.
²⁸ His arrival in France is reported on April 29, in a letter in the 'Stuart Papers': there must be error in the dates. Stuart Papers, ii. 130. Lancashire Memorials, v. 215, gives May 4 as the date of the escape.
²⁹ Lancashire Memorials, v. 221.
³⁰ Culloden Papers, p. 68.
³¹ Hill Burton, viii. 337; cf. Wallace's Account of the Rebellion, 1724; Rae, p. 387.
³² Culloden Papers, p. 49.
³³ Culloden Papers, p. 52.
³⁴ Duncan Forbes to John Forbes, October 26, 1716. Culloden Papers, pp. 67, 68.
³⁵ Stair Annals, i. 321-325.
³⁶ Culloden Papers, pp. 57-70.
³⁷ Wodrow, Correspondence, ii. 89-157.
³⁸ Stuart Papers, ii. 107-115.
³⁹ Stuart Papers, ii. 218, 219.
⁴⁰ Stuart Papers, ii. 343, 344.
⁴¹ Stuart Papers, ii. 284.
⁴² Stuart Papers, ii. 245.
⁴³ Stair Annals, i. 391.
⁴⁴ Stuart Papers, ii. 449.
⁴⁵ Saint-Simon, xiii. 403.
⁴⁶ Saint-Simon, xiii. 408.
⁴⁷ Stuart Papers, i. 386.
⁴⁸ Stuart Papers, i. 481.
⁴⁹ Gualterio MSS., Add. MSS., pp. 20, 311, f. 342.
⁵⁰ Gualterio MSS., Add. MSS., pp. 20, 311, f. 344.
⁵¹ Stuart Papers, ii. 51-55, 62, 76, 146.
⁵² Stuart Papers, ii. 67-70.
⁵³ Tindal, iv. 467 *seqq.*: 1745.
⁵⁴ Stuart Papers, ii. 80, 106.
⁵⁵ Stuart Papers, ii. 269.
⁵⁶ Mahon, ii. 275-279.
⁵⁷ Stuart Papers, ii. 464-466.
⁵⁸ Stuart Papers, ii. 459.
⁵⁹ Stuart Papers, ii. 470-472.
⁶⁰ Stuart Papers, ii. 221-224.
⁶¹ Stuart Papers, ii. 187, 274.
⁶² Stuart Papers, ii. 220.
⁶³ State Papers, Foreign, France, vol. 160. Record Office.
⁶⁴ State Papers, Foreign, France, vol. 161. Record Office.

CHAPTER XI.

FOREIGN AFFAIRS. THE STORY OF CLEMENTINA.

1716-1719.

THE history of Scotland, at this period, is a lost thread which might be sought, perhaps, in the study of freethinking among the ministers and the sproutings of the germs of dissent. But the doubts and heresies and discontents are dealt with later. We are here obliged to look for the sequence of national development in the fortunes of the Jacobite party, whose hope was to make Scotland once more Scotland, an independent kingdom under a Stuart king. The peculiarity of this nationalist endeavour was, that while a majority of the people, no doubt, would have voted for repeal of the Union, the majority would have declared against a Restoration. If the return to national independence could only be made by way of the recall of a Catholic prince, the ministers would endure the Oath of Abjuration, which they could refuse with safety; the Cameronians would merely moan over a broken Covenant; and the populace would submit to what they regarded as English arrogance and ill-faith, rather than face again the perils of which they had an unforgotten experience. The most prejudiced enemy of the Jacobites could not deny to them the praise which the tolerant preacher allotted to the Accuser of the Brethren. They were very active about their own business. Within less than a year of the king's flight from Scotland, the dispersal of the clans, the execution of many adherents, and the ruin of most, the Jacobites were able, at least, to give England a fright. Their songs of this period toast "the Royal Swede," who is the man "to do the deed." Berwick attributes to himself the beginning of negotiations with Charles XII., and the project of a sudden landing, like a bolt from a blue sky, of eight thousand honest

Swedes, sailing from Gothenburg. Charles was charmed by the idea, but totally unable to put it into execution.¹

During 1716 the Stuart Papers show Sir John Erskine, who lost the gold off Dundee, trafficking with Sparre, the Swedish ambassador to France, who, again, communicated with Gortz, the confidant of Charles XII. General Dillon was also engaged with Sparre in this intrigue to gain for Charles an ally in James, who was to be restored to the English throne. Like Bolingbroke, Sparre found that whatever Mary of Modena knew at once reached Stair, through spies in her little Court.² James could not bring himself to treat his mother as his son, Prince Charles, later treated himself, and to conceal his projects from her. His conduct was filial and amiable, but of perilous consequences to his fortunes.

Meanwhile Sir John Erskine, who was to deal with Sweden and Russia, if he lost his master's gold, found his own silver—that is, a vein of silver was discovered on his property in Scotland. He was likely to receive a pardon, and leave to go home to attend to his silver mine, and James, being informed, sent his congratulations. "His own affair is now to be his chief concern, and he [the king] wishes him all success," and will be "amongst the last to have an unfavourable opinion of him" for abandoning the Swedish intrigue and accepting a pardon. So Mar writes to Sir John (September 25, 1716).³ Such was the temper of "the weak, bigoted, and obstinate Pretender," to use the phrase which is stereotyped in our histories. Not to be outdone in generosity, Sir John, whose brother was physician to the Czar, tried the pulse of the autocrat: would he help *la bonne cause*? The circumstances are peculiar, and illustrate the energy of the individual Scot, and the condition of these medical and surgical studies in which Scotsmen have ever since been eminently distinguished. Dr Robert Erskine was great grandson of John, seventh Earl of Mar, and of his second wife, Lady Marie Stewart, daughter of Esme, Duke of Lennox. He was, therefore, "sib to the king"—indeed, in a distant way to both kings, *de facto* and *de jure*. As the sixth surviving son of Sir Charles Erskine of Alva, he had to make his own way in the world. He chose, like the famous cadet of Bonhill, Tobias Smollett, the profession of medicine.

There was as yet no medical school in the University of Edinburgh, so he became apprentice to a general practitioner, a surgeon apothecary, Hugh Paterson, himself probably of the Jac-

obite family of that name, represented in 1745 by Sir Hugh Paterson of Bannockburn, uncle of Clementina Walkinshaw, the mistress of Prince Charles. The prentice, by his indentures, was bound not only to chastity, but "not to play any games whatsoever." The high-born prentice, after tending his master's gallipots, pursued his studies in Paris (1697), and, in 1703, returned to England: he became F.R.S. In London there were then several eminent Scottish physicians, such as Arbuthnot, and George Cheyne of the ancient Norman-Scot house of Cheyne in Aberdeenshire. In 1704, doubtless under powerful protection, he went to Russia, then ruled by Peter the Great, and was almost at once taken into the service of the Czar as physician and as *Archiatros*, the Greek title given by Nero to his physician-in-chief, but by Peter to the head of his medical Chancery. In the year at which we have arrived, 1716, Dr Erskine was accompanying the Czar on a European tour, being now a counsellor of State, a post which gave him hereditary *noblesse*; but that he already had by birth, according to the Continental view of *noblesse*. In July the Czar and Dr Erskine reached Copenhagen, where the doctor was within reasonable distance of his brother, Sir John, the agent of James.

It was before the Rising that Sir John discovered and made profit of his silver mines near Alva, and the British Government, hearing of it after the Rising, was ready to pardon him if he would point out its site (surely not a difficult thing to discover), as a tenth of the ore would come to the Crown by a Scots Act of 1592. At Copenhagen the doctor met Sir Henry Stirling, who was looking for Sir John Erskine and also acting as a Jacobite agent; and on September 22 Sir Henry wrote to Sir John Erskine from Copenhagen, saying that the Czar and the doctor "heartily wished George at the devil," but were too remote to be of any help in sending him thither.⁴

Meanwhile Sparre asked Dillon for a memoir as to what help James expected from England, to be shown to Charles XII. by Gortz. He hoped that Charles would be able to act in the beginning of December (September 6); but Sparre made these promises without the orders of Charles, as he explained. Father Innes and Middleton drew up the desired memoir containing the usual promises of the English Jacobites, if they were backed by honest foreign invaders. What Charles needed most was money: what would the English advance in coin?⁵ The English Jacobites

happened at this time to be in a fright, caused by some underling Jacobite agent's doings. At this point of the negotiations with Sweden the published volumes of the Stuart Papers cease, and information is no longer so full and authentic.

As early as November 7, 1716, Stair, from Paris, reported "the talk of the Pretender's treaty with Sweden,"⁶ but his despatches are not important as regards this matter. But on February 20, 1717, King George, in his speech to the House of Commons, announced that supplies would be needed for the defence of the kingdom, owing to "the preparations which are making from abroad to invade us." Stanhope then announced that letters of Gyllenborg, Swedish Ambassador in London, Gortz, and Sparre would be laid before the House in proof of the conspiracy. In October and November the Government had intercepted and read letters of Gyllenborg and Gortz, at the end of January had arrested Gyllenborg,—General Wade, later the maker of the military roads of Scotland, was the officer who acted,—while Gortz was seized by the States of Holland, and Charles XII., in reprisals, arrested Jackson, British Resident in Sweden. The Regent finally pacified Sweden and England, Charles disclaiming the conspiracy of his Ministers.⁷ From The Hague Peter proclaimed his own innocence, and added Dr Erskine's oath that he had never written to Mar, or any other person, with regard to the plot.⁸ The letters of Gortz and Gyllenborg mention the doctor as a cousin of Mar and a hopeful instrument, but do not precisely implicate him.⁹ But a letter from Sir Henry Stirling (September 22, 1716) to Sir John Erskine represents that the doctor has induced the Czar "to get your affair done, if t'other way should fail."¹⁰

The intercepted letters show that the Jacobites had promised £60,000 towards the Swedish invasion, which, as an invasion by Protestants, they would reckon peculiarly "honest." Gyllenborg, (November 17, 1716) declares that Dr Erskine has written to Mar saying that the Czar is very friendly, but cannot make the first step.¹¹ As to the English Jacobites, Gyllenborg (December 4, 1716) found that they had been deluded by the too hopeful exiles at Avignon, who believed and asserted that Sweden was actually committed to the design. "For you," said an English Jacobite to Gyllenborg, "to flatter yourself that, out of respect or friendship, we should part with our money to any one whatsoever, would be to know nothing of us." Only fixed assurances from Sweden, not requests for money

on vague assurances, would loosen the Jacobite purse-strings. The English Houses were stirred by the rather unusual correspondence of the Swedish Minister, and an unnamed member moved that war should be declared against Sweden. Stanhope replied that "it was time enough to do that if the King of Sweden refused to disown the practices of his Ministers." Meanwhile Walpole, on private grudges, made friends with Sir William Windham, "downright Shippen," and other Jacobites, and managed the escape of Oxford from his trial for treason, while Oxford continued to be in communication with Atterbury, the chief Jacobite agent. Here was food for the eternal hopes of the exiles.

Throughout these negotiations Lockhart had been in hopes of gaining the "disgraced" Argyll to the Cause. Mar had suggested this plan to Lockhart; but Mar, before the Rising, had opposed the Duke's interests in Scotland, and neither Lockhart nor Colonel Middleton, his confidant, believed that Mar was sincere at present. So he sent to Mar a sealed letter for James, saying that James alone was to see the epistle. Meanwhile he heard that James, from Perth, early in 1716, had written a threatening letter to Argyll, a letter which must infuriate Red John of the Battles, but that the bearer had not delivered it. It was thought that Mar had inspired this letter to serve his own ambition; but there is no draft of it in the Stuart Papers, while James's letter from Montrose to the Duke is most courteous. A Captain Dugald Campbell was Lockhart's authority, and declared that he had seen the menacing letter from the king.¹² Colonel Middleton now sounded Argyll, and believed that he would come over to James; but Lockhart's private letter to the king on the matter of gaining Argyll remained unanswered for many months. The dateless Lockhart implies that it was written during the negotiations with Sweden, but no letter of his is in the Stuart Papers up to September 30, 1716. Finally Mar, in a note to Straiton, said that the king had read Lockhart's letter as to Argyll, but "not approving what I [Lockhart] proposed, would enter into no measures with that person [Argyll]." Now Lockhart had begged James to keep the secret from Mar, so he concluded that Mar had opened his letter to the king, concealed it, and returned his own reply as if from James. Two or three years later, from Rome (1720), Lockhart's son wrote to him, saying that he had given a copy of a fresh letter of his father's concerning the affair of Argyll to the king, who, after reading it, "told me he had never

heard of these matters before,—so it seems all the letters on these subjects have either been suppressed or miscarried. The king was beforehand with me as to Argyll's capacity and usefulness. . . .” Now Lockhart's letter had not miscarried, and the inference is obvious. But James, writing to Lockhart, expresses his joy (February 15, 1720) that a good opinion is still entertained of Mar, who to Lockhart seemed long to have ceased to deserve, if he ever had deserved it.¹³

Lockhart, in 1720, made no attempt on Argyll, partly because he believed that Hay, who was now serving James in Rome, knew all about the idea. Argyll was presently reconciled to George I., and made High Chamberlain of the Household. But we are anticipating events. As one door shuts another door opens. The Jacobites did not despair of assistance from Sweden while Charles XII. lived. They industriously sought a wife for James (who had already been in treaty for a princess of the House of Modena, and would not have been alarmed by the Protestantism of a lady of the House of Hesse). In autumn 1717 Ormonde, with Sir Henry Stirling, Charles Wogan, and others, went to Sweden and Russia, to seek a bride for James in the family of the Czar and to reconcile Peter with Charles XII. He was not received at either Court, but Stair reported activity among the Jacobites in Paris (November 1717).¹⁴ This activity and Jacobite “uppishness” Stair continued to report throughout the spring of 1718, while he moved the Regent to banish the exiles. Mary of Modena closed her life of sorrows on May 7, 1718,—the latest grief had been her son's withdrawal of confidence from the Court of Saint Germain, and from Father Innes of the Scots College. James, at Urbino, was induced to act against—what had constantly been represented to him by Berwick and Bolingbroke—the untrustworthy faith or lax garrulity of people about his mother,—women, priests, and traitors bought by Stair. The Catholic Jacobites, as James wrote to the queen's confessor, “would force me to the same measures which were the source of my father's misfortunes. . . . I am a Catholic, but I am a king; and subjects, of whatsoever religion they may be, have an equal right to be protected. I am a king, but, as the Pope himself told me, I am not an apostle.” His affairs were henceforth to be managed, Stair wrote, by Mar and his advisers in England (May 4, 1718).

Meanwhile the spy, Higgons, was still purloining the private

papers of the dying queen.¹⁵ Before dying the queen bade her confessor tell James that her affection was not impaired by his recent withdrawal of confidence. He had been only too devoted a son to the best of mothers but not the most discreet of women. Among all the spies of the age, perhaps none equalled in infamy the miscreant Higgon, who ate her bread and betrayed her, even as she lay dying, to the Earl of Stair.

Though Ormonde failed to find a bride for James, Charles Wogan succeeded,—to her sorrow, as it fell out, and perhaps to his own. He went to woo for another, like Lancelot for Arthur, and (perhaps as James certainly, when all was over, guessed) Wogan made, with no disloyal thought, an impression on the bride.¹⁶ Wogan, hunting through the Courts of Europe, saw the three daughters of James Sobieski, "Prince Royal of Poland," a descendant of the great Sobieski who crushed the Turks before Vienna. The eldest daughter was "bristling with etiquette, and astonishingly solemn," so her he ought to have chosen. The second was "beyond measure gay, free, and familiar." She became Duchesse de Bouillon. The third, Maria Clementina, was "sweet, amiable, of an even temper, gay only in season." Her did Wogan choose, though, unhappily, her devoutness was too narrow for the wife of one who "was not an apostle": her gaiety did not survive the tedium of a marriage with a man eternally absorbed in his sad futile business, and her even temper was soured by jealousies which appear, as far as her husband's heart was concerned, to have been as baseless as they were bitter.¹⁷ On October 18, 1718, Davenant wrote from Genoa to Stair that the bride was expected at Venice on her way to Rome.¹⁸

But Mar had insisted on not sending Wogan back to Ohlau, in Silesia, to bring the princess. He despatched James Murray, an old and trusted agent, later Jacobite Lord Dunbar, and much hated by the party. Murray managed, Wogan says, to let out the secret. However, he brought the marriage contract, signed, to Urbino on August 3, 1718. John Hay (later the detested Jacobite Earl of Inverness) was despatched to meet Clementina and her mother, and conduct them to Ferrara for the marriage ceremony. The secret, of course, leaked out, and was known to Stair in August, and, compelled by English influence, the emperor stopped the bride and her mother, his own aunt and cousin, at Innsbruck. The king went hastily from Urbino to Rome, having heard that the

emperor was to press the Pope to banish him. Wogan, seeing his plan imperilled, followed, and the king, apologising for having taken the affair out of his hands, bade him rescue the bride as best he might, and gave him a letter to her father, Prince James Sobieski. Wogan, seeing that if he failed he had no prospect but that of an Austrian or English scaffold, set forth with glee on an adventure so much to his taste in November. His fortunes shall be narrated later.¹⁹

Meanwhile, in the summer of 1718, Stair was moving the Regent to drive out "the rebels" from Paris. The Regent promised in August, but the Regent's promises were ill kept, though he was ready to betray Jacobite secrets. From Spain and Cardinal Alberoni had shone a great light of hope upon the exiles.

In 1717 there was war between the emperor and Spain. England, by the Treaty of Utrecht, was a guarantor of Italian neutrality, and had a defensive alliance with the emperor. Cardinal Alberoni, the extraordinary adventurer (who had not as yet the hat), was then all-powerful at Madrid, and had been friendly with England, but as she now stood in his way as regarded the quarrel with the emperor, he suspended his own commercial treaty with Britain. An imperial insult and injury to the Spanish Ambassador at Rome—he was arrested at Milan, and his papers were seized and sent to Vienna—irritated the Spanish monarch to the pitch of declaring war against the emperor. Alberoni, though threatened by domestic opposition, prepared a sea force at Barcelona: its purpose was a secret, but Cagliari in Sardinia, then in possession of the Empire, proved to be its objective. British diplomacy intervened after Sardinia was overrun; but Alberoni continued his preparations, and efforts were made to reconcile Charles XII. and Peter the Great—that old dream of the Jacobites. England, on June 4, 1718, sent a fleet under Sir George Byng to the Mediterranean, where he learned that the Spaniards were over-running Sicily. He attempted to negotiate an armistice with their commander, who had no powers to treat, and on August 11, off Cape Passaro, he captured or sunk most of the Spanish fleet. On this occasion Captain Walton wrote a despatch famous for its extreme unlikeness to the bulletins of Napoleon,—

"SIR,—We have taken and destroyed all the Spanish ships which were upon the coast: the number as per margin."

There had been no declaration of war, but Alberoni had received due official warning. He recalled Monteleone, the Spanish Ambassador, a friend of the Jacobites, from London, and seized British vessels in Spanish ports. Negotiations were opened between Charles XII. and Peter the Great, and Ormonde's passport to the conference, as Plenipotentiary of James III., signed by Peter the Great, is among the Stuart Papers.²⁰ Can it be wondered that Stair found the Jacobites "uppish"? Charles XII. and Peter the Great, even when at war with each other, were united in "wishing the Elector at the devil." Now they, with Spain, would impart to George an impetus in that direction. But the persistent Fate which dogged the Stuart cause again had her stroke in the battle, and winged the musket-ball which slew Charles XII. before Fredrikshall on December 11. With him collapsed his policy, if policy it can be called. At Paris, Stair kept supplying King George's Minister, Craggs, with the fullest information.²¹

Presently the romantic Cellamare plot to raise France, under the Duc de Maine, against the Regent was discovered and failed: the Regent declared war against Spain, and England went before him in the declaration (December 28, 1718). Alberoni retaliated by preparing, at Cadiz, an expedition to attack England, under the forlorn leadership of the often baffled Ormonde. He, for his part, had left for Spain, as Stair knew, in the first week of November, burning with just wrath against the seizure of Clementina Sobieski at Innspruck by the emperor,—“It is sure the most barbarous action that has been done for many ages” (Paris, November 4).²² Stair had taken measures to arrest Ormonde, but he crossed the Pyrenees disguised as a valet, and Alberoni, war not having yet been declared, denied all connection with him. As Mr Froude says of similar falsehoods on the part of Queen Elizabeth, Alberoni “was without the minor scruples which embarrass timid consciences.”

On December 17, when Charles XII. had been dead for a week, Ormonde, knowing nothing of that blow, wrote to James to say that Alberoni had sent Sir Patrick Lawless to arrange an alliance between Russia and Sweden. Spain would give James 5000 men (of which 1000 would be cavalry), 1000 barrels of powder, and 15,000 muskets. Ormonde asked for arms to supply a Scottish rising, and wrote to summon the Earl Marischal and Campbell of Ormidale, a Jacobite prisoner of 1715, who had escaped. Ormonde thought that James should come to Spain: Rome was full of

English spies.²³ It was not till January 25 that Ormonde, at Valladolid, heard of the death of Charles XII., who, as Gortz's papers show, had definitely promised Alberoni to invade England as soon as he had taken Fredrikshall. The "unknown hand" that sent the fatal bullet altered the whole course of history. As for Gortz, he was decapitated at Stockholm on March 3, 1719. The Cause was as fatal to its friends as Queen Mary to her lovers.

Stair, in Paris, knew most of the Jacobite plans from the Regent and the Abbé du Bois, who gave him the Jacobite cyphers, so that their despatches, when intercepted or sold to him, were easy reading. But the Regent's information, as the following abstract shows, was not always quite correct:—

"Ld. Stair to Sec. Craggs.

"PARIS, January 21, 1719.

"He has been told by the Regent & Abbé du Bois the full particulars of the agreement of Kings of Spain and Sweden as to expedition against England. The K. of Sweden, after taking Drontheim, to proceed to Scotland & declare himself for the Pretender & Protector of Protestant Religion: the transports not to be men-o'-war but barks found at Drontheim & on the Norwegian coasts; K. of Spain to provide certain sumes. Sir Peter Lawless, starting from Bilbao with some of the remittances, was shipwrecked off Heylegeland. 20,000 arms being made in Holland are intended for the expedition; Spain to furnish 6000 men, to be sent to Ireland under Ormond; the Pretender to follow. Ormond has embarked at St Sebastien, to pass *incognito* to Ireland, apparently to wait for the troops there. The Duke of Orleans thinks that the Czar has no share in the design.

"(Enclosing the cypher used by the Jacobites corresponding with Ormond, wh. Du Bois has given him.)"

At Rome, on January 26, 1719, James received Ormonde's letter of December 17, and Alberoni's invitation to Spain. Had Alberoni known of Charles's death, the invitation would never have been sent. Mar knew, at Rome, by January 30, as he wrote to Dillon; but James was going to accept an invitation which Alberoni had no time to withdraw, so sluggish were communications.²⁴

On February 8 a person, believed to be the king, left Rome with Mar and Perth, going northwards. It was supposed that James had

been summoned to the office of Regent of Sweden, or to pacify the emperor and the King of Spain, or had been called to England and to his crown on the rumoured death of George I. The pseudo-king and his party were arrested at Voghera, in the emperor's territory, and carried in triumph to the Castle of Milan. Stair sent the report that "the Pretender is taken" to his Government on March 4, but he seems to have had his doubts.²⁵

He had learned, through the emperor, that James went north from Rome on February 8, after writing to ask the Pope for his blessing. But the Regent's news, more accurate, was to the effect that James was *en route* for Barcelona.²⁶ The pseudo-king, imprisoned at Milan, was one of the Jacobite family of Paterson (Sir Hugh?), who had played the royal part to conceal James's real movements. But from Mar's long letter on the adventure to Panmure, it does not seem that Paterson was really mistaken for James: the party was arrested at a venture.²⁷

The real James went south from Rome,—not north,—and was welcomed at Nettuno by a French vessel under Genoese colours, sent by Cammock, a skipper employed during 1715, and now—an admiral of Spain.²⁸ On February 10 Ormonde went to Corunna to make preparations. James, who now well deserved the title of "Jamie the Rover" given him in the old song, suffered many things before he reached Rosas, in Catalonia, about March 10. He had a most tempestuous voyage, was very ill from fever, and lurked three days in Marseilles and a day at Villa Franca. He stayed also—to avoid two English cruisers—at Hyères, in a deplorable pot-house, on the day of carnival. There was a crowd of merry-makers, and his Majesty, an elegant and melancholy figure, had to dance all night, though he felt far from well, with the landlady. Alberoni wrote these details to Ormonde on March 18.²⁹ Meanwhile James, characteristically, was most concerned in Madrid "not to neglect what lies in my power for the support of so many brave subjects and old servants" at Saint Germain.³⁰

The Earl Marischal and his brother James, the future Prussian field-marshal, had answered Ormonde's summons, and gone by Marseilles to Catalonia. In February Alberoni gave the Earl two frigates, 2000 muskets, money, and ammunition, with a few Spanish soldiers. With these, on March 8, he sailed for Scotland, carrying letters from Ormonde to Glengarry, the Duke of Gordon, and others. Nobody in Scotland knew anything definite, as we

learn from Lockhart, about the adventure, but Marischal's party alone reached British shores.

At this moment, and indeed for weeks, a singular rumour ran through Europe that the Princess Clementina had escaped from Innsbruck. On March 8 Stair wrote to Craggs: "Princess Sobiesky is expected at Verona on the 13th, but her escape has not yet been reported."³¹ On March 11 Stair still had no news of her escape. Two Strasburg news-letters of April 5 reported that, on March 30, Wogan had rescued the princess. Now Wogan, at that very moment, was about to start for Strasburg, on his way to achieve his adventure. To his romantic proceedings we shall return: it was never known how the prophetic rumour arose. Stair remained in perplexity about James's movements: now he heard corroboration of his capture and imprisonment at Milan, now news came of him at Ravenna. The Spanish fleet at Cadiz was believed to be intended for the west of England; and Stair had news of Oxford's traffickings with the Jacobites. The Highland chiefs in Languedoc and Guienne were to go to raise the western isles, as Skye and Lewis. "The project," wrote Stair with truth, "is ridiculous and improbable" (March 11). Stair received, and disbelieved in, exaggerated reports of the Spanish strength, but heard from the Regent about the real strength and movements of Ormonde (really of Marischal). The Regent's informant was James's brother, the Duke of Berwick, who, perhaps, might have been more honourably employed than in acting as an agent for intelligence to his brother's enemies.³²

The Spanish fleet, in fact, after long delays, left Cadiz on March 7,—five ships of war, and twenty-two transports with 5000 troops, many of them hastily recruited, and, as Stair heard, very unserviceable. The fleet carried arms for 30,000 men, and Ormonde had a proclamation with him in which the King of Spain promised that all British officers who deserted George for James would, in case of failure, retain their rank in his own service. No British officer, however inclined to Jacobitism, would have been "false to his salt." Lockhart, though vehement enough, expresses, on another occasion, his contempt for such behaviour in the field, though, in peace, he appears to have thought that Argyll had a perfect right to change sides.³³ Meantime Ormonde, at Corunna, knew that the attack on England would not be a surprise. In a month of delay (February 10 to

March 7) all had been discovered. The British fleet would treat the Spanish "as per margin," in Captain Walton's commercial phrase, and, even if the Spaniards did slip past the fleets, the British Government had time to lay hands on the English Jacobites, and prepare for the 5000 Spaniards an iron welcome.

Delays continued, and on March 22 Ormonde advised Alberoni that the English project was hopeless, and that the expedition should be directed to the West Highlands. In this case a large supply of provisions would be necessary: it is not possible for an army to "live on the country" in Moidart or Lochaber. Ormonde also said that James, if they sailed round Ireland for the Hebrides, should come in person. To James, Ormonde wrote (Corunna, March 22) that Marischal had sailed eleven days before. "What was good a month ago [the attempt on England] is not so now." To James, Ormonde said nothing definite about the need of his presence, but hinted at it delicately. As his utmost hope, he confessed, was to hold his ground in the Highlands, on the chance "of some occasion that may be advantageous," the proposal to come and loiter with an army, unprovisioned, in the picturesque scenery of Moidart and the isles, did not tempt the king. Thus, at Corunna on April 5 Ormonde acquiesced in James's objection to the Scottish adventure. Alberoni had heard from London that all was in disorder, and that Government, in perplexity, asked aid from France, —which, indeed, was offered by the Regent, as we learn from Stair, who had no desire to see honest Frenchmen landed in England to protect the Hanoverian dynasty. "The bias of all this nation towards the Pretender is inconceivable. . . . Our Jacobites are much better disposed to drink the Pretender's health than to fight for him" (March 20). Alberoni acquiesced in an invasion of Scotland if England proved too strong, for the King of Spain believed that Scotland was about to rise, and must not be deserted. He knew, at least, that many Jacobites had left the Continent for Scotland, and his Catholic Majesty "will not sacrifice so many honest men who have taken up arms already." In fact, the Scots were determined, as Lockhart says, not to move till England was engaged, though they were nearly hurried into action by false news, brought by a man who said that Ormonde had landed him in Galloway to bid them rise. Alberoni, meanwhile, pointed out to Ormonde the wildness of his proposal to risk James and the Cause by taking him on an expedition with no particular objective.

The English Government took the usual precautions, both as regarded the fleet and by bringing over Swiss and Dutch troops to keep England English!

The Spaniards had followed the usual course. Their fleet was scattered in the accustomed way by a storm of March 29. The ships were crippled, the guns were thrown overboard with the stores, and the news of the return of the ruined Armada was sent by James to Alberoni on his arrival at Corunna on April 17. The king's one idea was now to succour the Earl Marischal, who had already set out for Scotland with his two frigates and a small detachment of Spanish soldiers.³⁴ The storm probably saved the 5000 Spaniards from being sunk or captured. The whole campaign had been shattered by the musket-shot from Fredrikshall in December 1718. To the Jacobites in Paris, says Stair, the failure was an excuse for drinking a good many bottles of wine. It affected Mar otherwise. On May 27 Stair asks Craggs what is to be done about Mar? He has been arrested at Geneva, and "pretends he wishes to quit the Pretender's party."³⁵

This is really visible in Mar's behaviour. He wrote to Stair from Geneva (May 6, 22), and a third anonymous letter; he also wrote to his father-in-law, the Duke of Kingston. Stair, thinking that Mar would desert James if George would restore his honours and estate, advised that he should be received: his desertion would prove that only Papists could serve the Pretender, who, for his part, retained, through good and evil report, his belief in Mar's loyalty to himself. Mar's own letters express a wish to be allowed to go to Bourbon and drink the waters of that healing spa. The third letter, mentioned by Stair to Craggs, in which Mar expresses his desire to leave James, is not published with the other two.³⁶ Indeed there is a mystery about Stair's remark that Mar is ready, on the terms mentioned, to desert James. On June 17 Stair writes to Stanhope that he is in doubt as to Mar's repentance; "he has made no direct step towards abandoning the Pretender."³⁷ Now Mar's letter in the third person, described by Stair on May 29, was said to be direct enough, and in his own hand. On July 8 Stair announced that the Jacobites have intelligence of Mar's intended defection.*

The British king, then in Hanover, required of Mar not only

* After consulting the State Papers in MS., I find nothing that indicates treachery to James in Mar's letters to Stair.

desertion of James but "considerable services" in the treacherous way. Stair said that these could not be expected, and suggested that meanwhile a pension should be given to Mar equal to the value of his estate: George would thus be master of his good behaviour. Later (October 20, 1719) Stair writes: "As to Lord Mar, the things that shock you shock me, but our business is to break the Pretender's party by detaching him from it. . . . Whatever his Lordship's intentions may be, it is very certain in a few months the Jacobites will pull his throat out." Stair thinks that James has his suspicions of Mar, while the Jacobites hold that his wife, a sister of Lady Mary Wortley Montagu, "is a spy, and has corrupted her husband. This, you may depend upon it, is true." On October 29 Stair learns that James has written to Mar "the kindest letter, with the warmest invitation to return to his post."³⁸

The sole result of Alberoni's plan had thus been to determine Mar to leave a sinking ship, and to split the Jacobite party on the question of his "considerable services" to the British Government. What these services were—or, rightly or wrongly, were supposed to be—will appear in the course of events. These now carry us to the little diversion which the Earl Marischal, with 300 Spanish soldiers, was to cause in the north-west of Scotland. If he could raise the clans while Ormonde, landing with 5000 men in the west of England, was joined by the English Jacobites, the British Government would have need of their Swiss and Dutch auxiliaries. James Keith, Marischal's brother, went through southern France collecting the exiles and distributing money. But after picking up Tullibardine at Orleans, and reaching Paris early in March, he found fatally divided counsels. He showed credentials from Ormonde to Seaforth and Campbell of Glendaruel, who said that these would have little weight with them if they had not already been told by Mar to obey Ormonde's orders. Keith saw that they were factiously disposed, and, when they met him at Rouen, Glendaruel let it be understood that Dillon, at Saint Germain, ought to have been consulted.

These were obscure jealousies, which arose from James's too tardy but plainly expressed want of trust in the prudence of the exiles at Saint Germain, and also, says Keith, "the Duke of Mar had not been so much employed in the matter as they wished."³⁹ Mar's part, we know, had merely been to travel north with Perth from Rome, so as to draw attention from the movements of James, early in

February. Mar himself, just before he and the king then separated, had written to James a letter disclaiming desire of office if all went well. "I never aimed at being thought what is commonly called to princes a favourite, but my ambition is to have the honour, as it will be a pleasure, of being near your person,"—precisely the position that "a favourite" always does hold. To continue to hold this post (Gentleman of the Bedchamber), with a seat in the Cabinet, would satisfy Mar, he said,—as well it might. No position, not that of holding the seals, would carry more power and influence. As to the expedition of Ormonde, Mar only asked not to be sent to Scotland, where, indeed, his presence would not have been welcome to the clans, because he had deserted them in 1715. He pointed to Tullibardine, the person chosen to command in 1717, as the most desirable leader in Scotland.⁴⁰ Mar would like to join later as a volunteer.⁴¹

The point of this letter was to have Tullibardine, not Marischal, as commander in Scotland,—a scheme which Keith had detected, and, therefore, had not consulted Dillon. Asked why he did not, Keith said that, being known at Saint Germain, he could not go there, the folk there were so imprudent. Glendaruel's real object was to get from Dillon an old commission of 1717, whereby Seaforth was to act as James's general-in-chief in Scotland in the event of invasion from Sweden. It was a repetition of the conduct of Huntly, hugging his old commission, while the great Montrose was acting as commander-in-chief. However, they all left Havre on March 19; their departure from Paris was announced by Stair to Craggs (March 15).⁴²

On April 4 they touched at the isle of Lewis, and found that the Earl Marischal had arrived with his Spanish three hundred. They all met at Stornoway. Tullibardine, though Marischal asked what commissions each of them held, suppressed the fact that he had obtained the commission of 1717 from Dillon, and wished to tarry in the Lewis till news came of Ormonde's arrival. It was not really the safer course, as English ships of war would blockade them in the isle of Lewis, and Marischal proposed a dash across country against Inverness. Next day Tullibardine produced his commission. Marischal bowed to authority, while retaining command of the two frigates, and Tullibardine yielded to the general preference for the march on Inverness. Glendaruel went off on his errand, and the ships, beaten by contrary squalls, did not reach Loch Alsh,

opening into Loch Duich, and Kintail, Seaforth's country, till April 13. On the north shore at the head of Loch Duich is Inverinate; opposite, on the other side of Loch Duich, the river Shiel, flowing east to west, yields a pass towards the eastern coast and Inverness through Glen Moriston, striking Loch Ness and the way to Inverness a few miles east of the Fort Augustus of to-day. Marischal was for surprising Inverness, but Tullibardine did nothing. The reason was, says Keith, that Tullibardine, not knowing what Marischal's commission might be, had sent circulars advising all that James desired them to sit still till news came of Ormonde's landing in England. Matters were so confused that either party in the divided camp may have been in the right: Keith, of course, takes his brother's side.

Days passed, while Marischal advised the attack on Inverness with such Mackenzies as gathered to their chief, Seaforth. Tullibardine hesitated, and Clanranald, when he arrived with Lochiel (April 20), was also for delay. Tullibardine, like Agamemnon in the 'Iliad,' now proposed flight in the ships, but Marischal commanded these, and, with great courage and decision, sent them away on April 30. He had scorned to join the flight of Mar and the king from Montrose in 1715, and he remained of the same temper. If Ormonde did arrive, what would he think when he learned that the leaders of the Scottish expedition had turned tail without firing a shot? The future field-marshal, James Keith, then aged twenty-two, was of his brother's mind. Most of the ammunition was stored in the ancient castle of Eilean Donan, on an islet close to the north shore of Loch Duich; and meanwhile a British squadron beset the exit from Loch Alsh to the open sea, and on May 10 three ships battered and seized Castle Donan, took such Spanish troops as had been left in this death-trap, perfectly untenable against guns, and made prize of the stores. A smaller magazine at the head of Loch Duich was blown up by the Spaniards, and the tiny invading force, as yet not joined by the clans, was in a net. Tullibardine had given reluctant friends an excellent excuse for not joining, but now he wanted men. The news, however, came that Ormonde's force had been dispersed by the storms, so that but a thousand broadswords, with Lord George Murray's Atholl men, Lochiel's, Seaforth's, and some of Rob Roy's Macgregors, were assembled. At Inverness General Wightman had been reinforced: he had about 850 bayonets, a hundred or two

of the Munros, 120 dragoons, and four light mortars. To meet them the Jacobites advanced up Glenshiel to the bridge five miles above Invershiel.⁴³

They selected a pass where the road is overhung by a steep hillside, the pass being a narrow road between the hillside and the rocky bed of the brawling river, or large burn, for it is little more. On June 9 Wightman encamped at Strathloan, on the east side of the pass, watched by Lord George Murray and his small contingent. Next day about 2 P.M. the hostile forces viewed each other. The Jacobites had barricaded the road, and entrenched the steep hillside which commanded it on the north. Here the main body was posted, with the remnant of the Spanish regulars, while Seaforth occupied a still higher point—Scaur Ouran—on the left. On the Jacobite right and on the south side of the water of Shiel Lord George Murray, with 150 men, occupied a knoll. Marischal was with Seaforth; our old friend, Brigadier Mackintosh, was with the Spaniards; Tullibardine and Glendaruel were with the centre. The English General placed his dragoons on the level by the road, and attacked Lord George on the south side of the river with his Highland levies and some red-coats. Lord George's men fled across a difficult ravine and stayed there, unassailed. Wightman then attacked Seaforth on his high hill on the Jacobite left. There was skirmishing for two or three hours; the Macgregors and Mackenzies were not very alert, and the Jacobites of the clans gradually withdrew to the hill crests and away. Defence of a position was not their *forte*; a charge down-hill was not called for by their officers; probably they were afraid of being charged on the flank by Wightman's dragoons.

According to Tullibardine, the Jacobite force kept gradually melting away, and the unsupported Spaniards followed. Next day the Spaniards surrendered as prisoners of war, and Tullibardine says that nobody approved of his proposal to keep marching about,—the Spaniards remarking that they could not live without supplies. Tullibardine writes (June 16) from Glengarry, "My Lord Marischal's ill-concerted expedition is to be now shamefully dispersed at last."⁴⁴ Perhaps either Marischal or Tullibardine could have done better if not thwarted by the other commander. Seaforth, who was dangerously wounded, and who declared that his men were unsupported, the others merely "standing by," won more honour than his companions. The men engaged on both sides may have numbered

about 2300, and probably not more than 200 were killed or wounded. The leaders skulked in the braes of Knoydart and Glengarry's country till they found opportunities of retiring abroad. The English troops, who behaved very well, had the advantage of attacking an enemy who were not accustomed to acting on the offensive. Dundee would probably have mustered the Highlanders on the hillside north of the river, and trusted to a charge with the broadsword; but he had a handful of horse at Killiecrankie, Tullibardine had none at Glenshiel, and his lack of horse, with the advantage which the English possessed in their mortars and in taking the offensive, prevailed over a little band of Highlanders not united, except in the case of the Mackenzies, by the sentiment of clanship. It was a disastrous beginning of the careers, later so distinguished, of James Keith and of Lord George Murray.

James lingered on in Spain, which was being worsted in the campaign against France, till September, when a graceful reason for his return to Italy was presented by the arrival of his bride in Italy. Charles Wogan had faced the dangers of an English or an Austrian block, and had done what, in November 1718, he set himself to do. Leaving Urbino, then, with a commission from James, he passed through Bologna, where Cardinal Origo told him that he would soon be returning, with no princess. "Unless I bring her, your Eminence will see my face no more," he replied. He was a man inspired by the old chivalry and by the tradition of that "very beautiful person" and very brave man, his ancestor, who led a troop of cavaliers through Cromwellian England to join Glencairn and avenge Montrose. From Bologna, Wogan travelled to Innspruck in the disguise of a French pedlar, for, as the phrase ran, he "had the tongues," being an accomplished scholar, the early friend of Parnell, the poet, and of Pope. He was introduced, by means of his pack and wares, to the captive ladies, Clementina and her mother, and gave them letters from James. Both ladies were romantic, and gladly entered into his plan of escape, subject to the permission of Prince James Sobieski. Wogan therefore visited him at Ohlau, but found him a person of unadventurous character. "The time for Quixotades is passed," he said. But Sobieski liked the gay and courageous cavalier, and on New Year's Day 1719 offered him, as *étrennes*, a valuable relic—a snuff-box of turquoise taken by John Sobieski from the tent of the Grand Vizier on the day when he smote the Turks before

Vienna. Wogan respectfully declined the gift: he would not return to Italy with so rich a gift for himself and with a refusal to his master and king.

Sobieski was touched: he pressed the jewel on Wogan, invited him to dinner, and, in a convivial mood, gave him full powers to do his best for Clementina's rescue. Wogan inquired as to how a passport from Vienna, for the security of the princess travelling through Austria, could be obtained, when to his horror the prince called an Austrian adventurer, Baron Echersberg, to join the conclave. This man, Wogan reckoned, would betray all to the emperor. When Sobieski and Von Echersberg had conversed in German, Wogan determined to ply the Austrian with Tokay in his own rooms. "Dull men are fond of politics," says Wogan, and he delighted the Baron by revealing to him, as a profound secret and an accomplished fact, or a probable conclusion, the Russo-Swedish alliance in favour of James, which Ormonde had failed to procure in 1717. His king desired to have an ambassador, a German, at the Court of Charles XII.: he was commissioned to select a brave and intelligent Teuton, and in Baron Von Echersberg he had recognised his ideal. On the happy Restoration, the Garter and a great estate in England would give to the Baron the eminence and the opportunities which Alberoni enjoyed in Spain. It was an age of great adventurers, like Law "of Lauriston" in France. The Baron took the bait, became Wogan's sworn ally, and remained constant to him, Clementina, and the Cause even after the news arrived of the death of Charles XII.

The fair Countess de Berg, dear to Prince Sobieski, suspected the intrigue, so Wogan did not disappear obscurely from Ohlau, but set forth in a coach with six horses for Prague. But before making that move, intended to disguise a secret trip to Vienna, an almost incredible prospect opened itself to Wogan. Peter the Great had 30,000 men stationed within twenty miles from Ohlau, under Prince Czerematoff. Wogan declares that Czerematoff, necessarily by Peter's orders, secretly invited Prince Sobieski to put himself at the head of the 30,000, seize the Polish throne, and declare war in revenge for Clementina's arrest, backed of course by Russia, who would find her own reward, obviously, in Poland under a Sobieski. After supper the prince consented, τὰ φρονέοντ' ἀνὰ θυμόν ἃ ῥ' οὐ τελέεσθαι ἔμελλον. But when day dawned the prince knew that his was a deceitful dream. He

was old, he had no son,—in fact, he thought better of the proposal. Wogan therefore made for Vienna, where he hoped that the Papal nuncio would mollify the emperor. But the emperor, he learned, was the puppet of England; so Wogan rode to Augsburg, where he had arranged to meet the Starosta Chlebouski and his wife, who would chaperon the princess,—a chaperon, of course, was absolutely necessary when a young adventurer was to carry off a princess of sixteen to be the bride of a king. The Chlebouskis had lost heart, and came not; worse, Prince Sobieski lost heart and withdrew his commission. He had two other daughters; let James choose one of them—the grave (who was really the appropriate bride), or the recklessly gay.

Wogan was not to be defeated. Lurking at Augsburg as a French fugitive from his creditors, he induced James to send a Florentine, Vezzosi, to Ohlau, to ask Sobieski for a renewal of his commission. He himself rode to Schelestadt, near Strasburg, where lay a regiment of the “Wild Geese,” Dillon’s Irish, among them Major Gaydon, Wogan’s uncle, Captain Misset, and Captain O’Toole, a gigantic blue-eyed Irishman, while Lally, commanding in Dillon’s absence, was in the secret of the scheme. He was the father of another Jacobite, later famous, Lally Tollendal. A chaperon, failing Madame Chlebouski, was found in Mrs Misset, herself about to become a mother; while her servant, Jeanneton, a maid of heroic proportions, friendly to O’Toole, would be useful, and was told that they planned to carry off an heiress as his bride. Not being of a jealous temper, Jeanneton was delighted to join in the adventure.

We have reached the month of March 1719, and James had arrived in Spain. By April 5, as we saw, the curious rumour that Wogan was successful, and that the princess was free, had reached the Strasburg news-letters. The others were alarmed, but Wogan said that the gaolers of the princess would be put off their guard, and argue that, as his plot was known, he would desist. On April 6 they set out by various routes for Strasburg, where Wogan was taken to be Mar and was arrested. The error was discovered and he was released, though, as he justly remarks, he was “more important than ten such dukes.” Mar himself was waiting to see how the Spanish enterprise would prosper before going north to Geneva and putting himself in touch with Stair.

At Strasburg Wogan purchased a strong *berline*, with a double

set of harness, for he left nothing to chance. The commander at Strasburg, d'Angervilliers, wished them god-speed,—“You are the lads to conquer or die.” The Florentine emissary to Sobieski had brought a renewed commission for Wogan, and they drove across the bridge of Kehl, Gaydon passing as Comte de Cernes, Mrs Gaydon as the Comtesse, Wogan as the brother of de Cernes, and Misset, O'Toole, and Vezzosi, the Florentine, as servants. Reaching Nazareth, a village distant a day's journey from Innspruck, Misset went, disguised as a French merchant, with cyphered letters to Châteaudoux, the intendant of the Princess Sobieski. He was informed that Jeanneton, apparently in the character of his mistress, was to be smuggled into the house where the captive ladies lay, at midnight, April 27. A woman would later leave the house, but she would not be Jeanneton. The princess would borrow Jeanneton's hood and walk forth, while Jeanneton would occupy her bed, and, being very unwell, would not receive the official who, twice a-day, had to wait on and inspect the captive Clementina. After giving Châteaudoux his orders Misset was to go forward and await the party at an inn on the crest of the Brenner Pass. Next day Wogan heard from Châteaudoux that James had a rival. The Princess of Baden was at Innspruck, wooing Clementina for her son, while the King of England was to provide a tocher of £100,000. But on April 27 the Princess of Baden was to set out for Italy, as she did.

On the 27th of April, when the party of rescue left Nazareth, all was imperilled. Jeanneton was very tall, Clementina was short. It was necessary that Jeanneton should discard her high-heeled shoon for slippers, to help to dissemble her height, but Mrs Misset and all the men had literally to throw themselves at her feet before she would consent. Under cloud of night they alighted at the Black Eagle in Innspruck in a gale and a deluge of rain. Châteaudoux met Wogan and declared that a princess could not walk the streets on such a night; but Wogan was resolute, and a page, Kouska, was ordered to meet him at the bridge and act as guide. At half-past eleven Jeanneton, in a furious temper, and Wogan, met Kouska at the door of the prison-house of the princesses. The sentinel had taken shelter in a tavern opposite; a faint watery moon and the white snow gave a doubtful light. Jeanneton slipped into the house, and Wogan, waiting in a dark corner, heard the chimes at the quarter and the half hour after midnight. At last

a woman in a wet and heavy riding-cloak emerged, passed through the door of the court, and groped her way to the dark corner where Wogan waited. Behind her followed Kouska with the Sobieski rubies, and the crown jewels carried off by James II. and sent to Clementina rather rashly by James III., in an ordinary-looking parcel. The pearls, worn by unhappy queens, and destined to adorn two other queens not more fortunate than they, decorate a portrait of Clementina taken at Rome before she had ceased to smile,—very large pear-shaped pearls, like those in an early portrait of Mary Stuart.

Not knowing, probably, what the parcel contained, Kouska threw it behind the door, when Clementina, thoroughly wet from a fall in the snow, reached the Black Eagle with Wogan. O'Toole drove the *berline* to the door, the party entered it, and had gone some way when Clementina cried, "Where are my jewels?" O'Toole galloped back to the inn: the outer door was barred, but by a great exertion of strength he forced the obstacle, seized the jewels, and hurried back to the party, who had passed, says Wogan, a quarter of an hour that was "terrible but interesting," as the discovery of the packet and its contents would have caused instant pursuit.

The rest of the journey was delayed by the Princess of Baden, who, travelling south, had taken up all the relays of fresh horses in advance. An imperial courier, hurrying to warn the frontier commanders, was ingeniously intoxicated and robbed of his despatches by Misset and O'Toole. It was not till the afternoon of the day of the escape, April 28, that the officials at Innspruck became aware of the flight of the caged bird.⁴⁵ On April 30, after mirthful adventures, in which Clementina showed great courage and cheerfulness, the fugitives crossed the Austrian frontier; on May 2 they arrived in Bologna. One curious point is noted in Gaydon's narrative. A princess of the Caprara family had been spoken of as a bride for James, and Clementina knew it. She insisted on seeing this lady's portrait in the Palazzo Caprara, and, on beholding it, to the surprise of her companions (who knew nothing) she blushed a vivid scarlet! In fact, under all the charm and gaiety of Clementina lay a fund of jealousy, the cause of many sorrows. On May 9 James Murray (second son of the fifth Viscount Stormont, an active and trustworthy agent of the Cause) was proxy wedded to the royal bride. As Jacobite Earl of Dunbar (1721) he became much detested by the divided Jacobites, who at this moment were

concentrating their hatred on Mar. James could have no trusted Minister whom one or another division of the party, at home and abroad, did not despise and dislike. Proceeding to Rome, Clementina was placed in the Ursuline convent, while the honours of the city of Rome were showered on Wogan and his friends. James made him a baronet, and he was appropriately advanced to the Governorship of La Mancha in Spain. He corresponded with Swift, whom he regarded as an Irish patriot, but he did not set out again to seek adventures in 1745.

On June 7 Alberoni gave James the first tidings of the escape of his bride. He confirmed the news on June 8.⁴⁶ The Cardinal also showed James plainly that attempts on England and Scotland were hopeless for the time. On August 14 he set out from Vinaros, and on September 5, from Montefiascone, announced to the King of Spain and to Ormonde his marriage. "The Queen has surpassed my expectations, and I am happy with her,"—the very first expression of happiness in his correspondence, and tempered by his being "in a terrible way as to money matters" (September 14).⁴⁷ The Pope was James's only resource, and the Pope was not lavish, as James Keith found when he visited his king. James keeps expressing his hope that Mar will be allowed to leave Geneva and return to him. "In the meantime I shall be my own secretary." He found Montefiascone, in the October rains, "a very melancholy place."

It was a melancholy honeymoon,—a defeated, disappointed, laborious bridegroom, earnestly toilsome as his own secretary; a bride of half his age, who found that her crown was pinchbeck, that money was very scarce, that her lord was deep in affairs, and that he in no respect resembled her merry knight, adventurous Charles Wogan; while her father, in disgrace for her escapade, was deprived of his duchies, and had retired to a monastery. The poor child lost her spirits, lost her even temper, became irritable, and finally had a grievance which she would not reveal. The world—even the Jacobites—took her part, historians take her part: it is natural. James, in his usual calm patient way, tried to reason with his wife—a course proverbially futile: her jealousy poured the last drop into his cup of bitterness.

NOTES TO CHAPTER XI.

- ¹ Berwick, ii. 235-237.
- ² Stuart Papers, ii. 359.
- ³ Stuart Papers, ii. 474, 475.
- ⁴ Stuart Papers, ii. 495; Miscellany, Scottish History Society, ii. 373-385.
- ⁵ Stuart Papers, ii. 477.
- ⁶ State Papers, Foreign. Record Office. Vol. 160.
- ⁷ Mahon, i. 260, 261. Parliamentary History, vii. 396-420: the Swedish Correspondence.
- ⁸ Miscellany, Scottish History Society, ii. 422, 423.
- ⁹ Miscellany, Scottish History Society, ii. 419-422.
- ¹⁰ Miscellany, Scottish History Society, ii. 418.
- ¹¹ The publication of the third volume of the Stuart Papers will prove the truth of this or of Dr Erskine's note to the opposite effect; at best he sailed very near the wind.
- ¹² Lockhart, ii. 15.
- ¹³ Lockhart, ii. 29-31.
- ¹⁴ State Papers, Foreign. Record Office. Vol. 161. The Jacobite Attempt of 1719, Scottish History Society.
- ¹⁵ Haile, Mary of Modena, pp. 500-503, and Appendix D., p. 516.
- ¹⁶ I found a hint of this, in a paper written by James after his wife's death, among the Stuart MSS. Unfortunately I have lost the copy, and the reminiscence must be taken merely as such.
- ¹⁷ The various accounts of the romance of Clementina, including the pleasant version of Wogan, have been published by Dr Gilbert, Dublin, 1894. See, too, Historical Manuscripts Commission, x. 6. 216. Lord Braye's Papers.
- ¹⁸ State Papers, Foreign, France, vol. 162.
- ¹⁹ Wogan, and Glover's Stuart Papers, p. 48, note: 1847. The letters are Atterbury's Correspondence, with notes from the other Stuart MSS.
- ²⁰ Mahon, i. 319.
- ²¹ State Papers, Foreign, France, vol. 162.
- ²² The Jacobite Attempt of 1719, p. 2.
- ²³ The Jacobite Attempt of 1719, pp. 15-17.
- ²⁴ Stuart Papers, *apud* Jacobite Attempt, 1719, xxxii.
- ²⁵ Stuart Papers, Foreign, France, vol. 163.
- ²⁶ Stuart Papers, Foreign, France, vol. 163.
- ²⁷ The Jacobite Attempt of 1719, pp. 206-216.
- ²⁸ The Jacobite Attempt of 1719, xxxiii.
- ²⁹ Stuart Papers, The Jacobite Attempt of 1719, pp. 219-221.
- ³⁰ Stuart Papers, The Jacobite Attempt of 1719, p. 221.
- ³¹ State Papers, Foreign, France, vol. 163.
- ³² Stair to Craggs, March 22, 1719. A letter from Duke of Berwick to Duke of Orleans on Ormonde's (really Marischal's) embarkation on the 12th, with four companies of Grenadiers on two frigates taken by the Spaniards from the French last year in the West Indies, probably to join the Spanish fleet either at Ushant or Finisterre. State Papers, Foreign, France. Record Office.
- ³³ The Jacobite Attempt of 1719, xxxvi.

³⁴ The Jacobite Attempt of 1719, pp. 113-116.

³⁵ State Papers, Foreign, France, vol. 163.

³⁶ Hardwicke Papers, ii. 562-569.

³⁷ Stuart Papers, Foreign, France, vol. 163.

³⁸ Hardwicke Papers, ii. 599.

³⁹ Memoirs of Keith. Spalding Club, p. 46.

⁴⁰ 'Lord Mar's Legacy,' Scottish History Society, No. 26, pp. 147, 148. The Hon. Stuart Erskine, the editor of 'Mar's Legacy,' says in a note that the person intended is "probably either Ormonde or Berwick." Ormonde was not going to Scotland at all, and Berwick was commanding a French army and sending intelligence of Jacobite movements to the Regent d'Orléans. As Keith shows, the reference is to Tullibardine's commission.

⁴¹ Stuart Papers, cited in 'Mar's Legacy,' pp. 146-149.

⁴² Memoirs of Keith, pp. 42-44.

⁴³ The Jacobite Attempt of 1719, xlix.

⁴⁴ The Jacobite Attempt of 1719, pp. 269-273.

⁴⁵ Wogan's Narrative.

⁴⁶ Stuart Papers, The Jacobite Attempt of 1719, pp. 253, 254.

⁴⁷ Stuart Papers, The Jacobite Attempt of 1719, p. 264.

CHAPTER XII.

HERESY AND SCHISM.

1720-1740.

THE one important result of Charles Wogan's chivalrous enterprise was the birth of Prince Charles Edward, on Old Year's Night, 1720. Feuds, jealousies, and conspiracies centred round the cradle of the child who was to keep alive the old wasting fever of Jacobitism. But for the moment the party was dormant, and Scotland was little if at all affected by the newest and least hopeful schemes of 1720-1722.

Nothing more important than ecclesiastical motions was interesting Scotland. Both the Kirk and the Episcopal remnant were agitated by various causes which had a considerable amount of vitality, and for long affected, and indeed still in some measure do affect, the religious bodies in which they arose. The Kirk, since the Reformation, had been little vexed by laxity of religious belief: the "standards" of faith had not been impugned, save by the Arminianism of some of the conformist clergy before the Bishop's Wars under Charles I. These peccant thinkers were then purged out, and the Kirk, whether triumphant or persecuted, or rent by the schism of the Cameronians, was unflinchingly orthodox in her Calvinism. Such doubts and theories as were entertained by the unhappy boy Aikenhead attacked many sincere believers, as their testimonies declare, but were stifled or vanquished by them, and there was plenty of free-thinking discourse held over the bottle; but the ministers and professors in the universities had continued to rehearse, over and over, the Calvinistic theory of God and man, with Adam as "the Federal Head" of the descendants whom he involved, without consulting them, in the misdemeanour of disobedience, and the guilt associated with "that forbidden Tree."

As of old in Eden, so now in Scotland, it was woman who tempted man to his doctrinal fall. Antoinette Bourignon was a French mystic of a common type, not welcome to Calvinism, and sympathy with her doctrines caused the deposition of an Aberdeenshire minister, and, later (1706), of a Presbyterian. They doubted whether the heathen were universally reprobate, and held, with Tertullian, that they naturally *vocem Christianam exclamant*, now and then,—an opinion historically confirmed by the study of some elements in savage religion. The Westminster Confession was thus endangered, and even a professor in the University of Glasgow, Mr Simson, was delated by an Edinburgh minister, Mr Webster, for teaching heterodoxy.

Theological topics are ill-suited for the secular historian, but the development or degradation of doctrine occupied the Scottish people so much that the theme must be faced. Where the most awful mysteries of human destiny and the actual conditions of Deity were discussed in the jargon of Scottish law,—when we hear much, for example, of “the personal property of the Father,”—the mind naturally shrinks from approaching the heated arena of the Presbytery and the Assembly, where such matters were the ground of wranglings. Perhaps the least tedious and least irreverent way of handling the subject is to attend to the personal interest,—the characters and ways of the Bostons, Wodrows, Hogs, Erskines, and others, who are the protagonists.

Heresy usually begins in the universities, as at St Leonard's College before the Reformation. The excellent Wodrow, being a historian (“*vous êtes orfèvre, Monsieur Josse!*”), conceived that “the increase of irreligion, Deism, and Atheism” might partly be due to the neglect of the ‘History of the Sufferings,’ on which he was engaged.¹

Wodrow also noted a blow against the doctrines of the mystical Antoinette in an extraordinary murder. “A mighty disciple” of hers, an Aberdeenshire Bourignonist, a schoolmaster, was deprived of his place for his heresy. He came to Edinburgh, naturally to the house of a Gordon, a bailie of the town, as tutor to his sons. Walking with two of them one day in the woods opposite the castle, where now are Castle Street, Hanover Street, and Frederick Street, this man, who was probably mad, cut the throats of the poor children, and, less effectually, cut his own. He was observed and seized red-handed: his hands were cut off, he was hanged, but breathed for

half an hour through the cut in his throat. "He seems to have been possessed." Wodrow does not, it is fair to say, attribute the diabolical possession to the Bourignonian doctrine.²

This occurred just before the General Assembly of May 1717, in which the case, already old, of the heretical Glasgow professor, Mr Simson, was debated, Mr Mitchell being Moderator. A committee had examined into the affair, and found that Socinianism, Arminianism, and, we hear with relief, Jesuitism were not proved against the divine; nor was he guilty of any sin against the Confession of Faith. He had, however, been rather rash in his solution of difficulties in theology, and the committee thought that the Assembly should warn him and other professors and clergymen to be careful. Every one, they added, should be recommended to avoid uncharitable judging,—a reproof to Mr Webster, who had published a violent pamphlet against Mr Simson.³ There were long debates, "and both sides mistook [misunderstood] one another, I am sure, for two hours." Mr Simson alleged that babies "are not in the same state with reprobate angels," founding on Acts ii. 39. "It was remitted to a committee," and then there was a debate of six hours on "moral seriousness and grace." Mr Simson was disapproved of for saying that there was a covenanted connection, under promise, between grace and moral seriousness. The House, in circumstances so exciting, resounded with "a very indecent cry," for which the Royal Commissioner requested the Moderator to rebuke the brethren. Finally, a committee, including Mar's brother, Lord Grange, reconsidered the whole business, and, in secular phrase, Mr Simson received a slight reprimand, and was warned not to do it again. He "*tended* to attribute too much to natural reason."

In a second process (1726-1729) graver charges, as we shall see, of verging on Socinianism were advanced. Presbyteries were consulted, and, while most were for deposing Mr Simson, he was merely suspended. This appeared culpable neglect to the "private Christian" of a Cameronian tinge who wrote 'Plain Reasons for Presbyterians dissenting' (1731), and was one of the causes of a secession later.

The Kirk was, in fact, full of heated passions, orthodoxy and Moderatism being at war, while each faction claimed to be alone orthodox. Already the Presbytery of Auchterarder had been demanding the assent of a young divine "under trials" to formu-

laries of their own invention. One of these, says Wodrow, "made a dreadful noise, and hath been in all the coffee-houses at London." We shall later quote "the Auchterarder Creed," as it was called; but it is interesting to note that Wodrow's Editor, the Rev. Mr M'Crie, writing at the time of the Disruption (1843), appears to side with Auchterarder against the General Assembly, which condemned "the Auchterarder Creed," and thereby "injured the doctrines of grace."⁴ Meanwhile Mr Hog, in defence of the Auchterarder Creed, republished part of an old book, 'The Marrow of Modern Divinity' (1646), by Mr Fisher, an Englishman. Who was this Fisher, whose dead hand threw the Marrow bone of contention among the Scots divines? Those who did not admire him said that he was a barber, an Independent. His advocates averred that he was a son of Sir Edward Fisher of Mickleton in Gloucestershire, and that he had been a gentleman commoner of Brasenose College, Oxford. Anthony Wood credits the B.N.C. Mr Fisher with 'The Marrow'; but this Fisher was a Royalist, while the author of 'The Marrow' is recognised as an Independent.⁵

At all events, from Fisher's old book arose that Kirk-rending "Marrow Controversy," now "fallen very dim," though very vivacious and exciting in its day. The topic is, indeed, a great deal more mysterious than the alleged betrayal by Mar of Atterbury, for the problem involves such topics as "the conditionality of grace," which can only be settled by an Infallible Head, or other infallible authority, not acknowledged by the Kirk. We are therefore obliged to consult 'The Edinburgh Christian Instructor' (1831-1832), which contains a very elaborate account of the controversy. The more precise of the ministers were shocked, among them the famed Mr Boston of Ettrick, by the condemnation of the Auchterarder Creed. It ran thus: "It is not sound and orthodox to teach that we must forsake sin, in order to our coming to Christ and instating us in covenant with God." Mr Boston, at the Assembly of 1717, "believed the proposition to be true, howbeit not well worded." A great deal might be said on both sides, but not much could be said in favour of the right of presbyteries to frame new tests of faith not authorised by the Kirk. The wording of the Auchterarder test was so indiscreet, we know, that it made a noise, and probably caused unseemly mirth in the London coffee-houses. It would seem to embody the faith of Trusty Tompkins in 'Woodstock,'—a saint with a heavenly

licence to sin at will. Though Calvinism is not the faith of Tompkins, which is commonly called Antinomianism, it has often been understood as if it were. The Assembly of 1717 would not tolerate what seemed to lean towards Antinomianism, and, as Boston says, "for several years there ran a torrent, in the public actings of this Church against the doctrine of grace, under the name of Antinomianism."⁶

In a casual conversation at the Assembly with the minister of Crieff, Boston happened to mention to him that forgotten book of Independent divinity, 'The Marrow.' Mr Drummond procured a copy, and, as we said, Mr Hog of Carnock reprinted much of it, with an Introduction of his own (1718). "By a beautiful step of Providence," Mr Boston was the occasion of much that he deemed "to the signal advantage of the truth of the gospel in this Church." There were great searchings of heart among students of 'The Marrow.' Principal Hadow of St Andrews, a university not free from Jacobite tendencies, both preached and wrote against the doctrines of the old Independent divine,—“the Cromwellian Ghost” as he was called. Principal Hadow detected Trusty Tompkins in the Ghost (see his 'Antinomianism of the Marrow detected'), and also a tendency to believe in Universal Redemption. The General Assembly appointed a Committee of Purity of Doctrine, and several preachers, including Mr Hog, were summoned before the Committee in April 1720. The conference ended amicably; but when the Committee on Purity of Doctrine handed in its report, a set of propositions extracted from 'The Marrow' "were very unanimously condemned," says Wodrow, in spite of the arguments of Hog and others. "The propositions were so gross that there was no reasoning of any force against them. The book is discharged to be recommended" (May 18, 1720).⁷

The heresies condemned were, in fact, sufficiently gross, if they were actually in 'The Marrow'; but the circumstances were analogous to the condemnation of the Five Propositions of Jansenius, as known to mankind through the 'Lettres Provinciales' of Pascal. The Pope settled the question, "Are the Propositions really in Jansenius?" in the affirmative. But the Assembly had no Pope, and the "Marrow men" had no Pascal. Charles Perrault, after studying the Pascal-Jesuit controversy, came to the conclusion that there was little in the matter, and to moderns there may seem to be little in the Marrow dispute. But it was very serious

to the disputants, and led on towards a secession from the Kirk. The condemnation by the Assembly became "more and more stumbling to many ministers of piety and learning," as a serious layman wrote to Wodrow (Feb. 14, 1721).⁸

In 1721 the Assembly met in unfortunate circumstances. The Commissioner, Rothes, "is turned blue and ill-coloured," writes Wodrow, rather tautologically. The malady of Rothes caused the Assembly to break up early (May 17). A petition by twelve ministers against the Act condemning 'The Marrow' was therefore remitted to a Commission, of which Wodrow was a member. Mr Boston, in the remote pastoral parish at the head of Ettrick, was the moving spirit in the matter of this petition, with Mr Hog, and famous Mr Ralph Erskine of Dunfermline, and Mr Ebenezer Erskine of Portmoak. Mr Boston spoke of "that black Act"; in short, theological spirits were much inflamed, and the Assembly was open to a charge of intolerance. In any community or Church there must be some authority: if not in the Assembly, where was it? But to use the authority is, of course, to disoblige some members of the community or Church, and they naturally denounce the authority as tyrannical.

The Commission, when it considered the petition, concluded that, according to 'The Marrow,' "believers' sins are no sin" (May 18, 1720). But the petitioners, in their preamble, had repudiated "as egregious blasphemy" the idea that "holiness is not essential to salvation." That was an error which they abhorred, but they also abhorred the other error of seeking salvation by good works. The General Assembly had not sufficiently adverted to that perilous course, which, we may think, at least involved less danger to the community than the belief that believers may sin at pleasure. 'The Marrow' had quoted Luther, "that blessed and famous Reformer," but the Assembly did not like what Knox calls "Martin's way," or did not like its concomitants.⁹ The petitioners really thought—and this is the intelligible point in their position—that "there was a growing humour for turning religion into a mere morality." Each party in the dispute regarded the other as departing from the exceedingly strait old way on the Calvinistic ridge "where the wind and water shear." The debates between the petitioners and the Commission were prolonged, and Boston says, "I was encouraged by the success of an encounter with Principal Hadow."¹⁰ In November the petitioners were recalled,

and asked to answer certain written questions. Boston saw that "we were to lay our account to parting with our brethren," and the questions were received under protest.¹¹ Finally, on May 21, 1722, the petitioners, who had given in their answers, were "admonished and rebuked" by the Assembly. There was a thunderstorm, not without rain: "it made impression on many, as Heaven's testimony against their deed they were then about to do," but, adds Boston with common-sense, "though in this it is not for me to determine." He must have seen many a rainy day, with thunder, at the manse of Ettrick.

Whether the Assembly was intolerant to the Marrow men or not, the old persecuting way was still in lively force during the Assembly of May 1722. Some fifty persons had attended Mass at the Duchess of Gordon's house in the Canongate. Bailie Hawthorne forced open the doors and seized the whole company. The ladies were released on bail; the priest and another man were imprisoned.¹² It is no wonder that the Jacobites "pretend now to set up upon liberty and Whig principles."¹³ It was the moment of Layer's plot in London,—a silly confused affair, later to be recorded, and fatal to Atterbury.

The thunderstorm mentioned by Boston is also noticed by Wodrow in a letter to his wife. He saw no warning from an angry heaven in the matter, and says that the Moderator allowed that the task of rebuking Boston and his friends was "uneasy," but "he did it." In their protest the Marrow men expressed their adhesion to the National Covenant and Solemn League and Covenant (which endeared them to the men of the old leaven in their flocks), and to the Confession of Westminster. They refused to submit to the Act of 1720 or the present Act, "but will preach the truths forbid" by these Acts. They do not appear to have had any regard for the authority of their Church.¹⁴ As their protest was not received by the Assembly, though accompanied with gold coin laid down by Mr Hog in accordance with usage, they published it. Their authority for protesting against the Act of Assembly denouncing 'The Marrow' was "the Word of God" (to which Knox also proposed to refer if, by chance, the Kirk differed from him in opinion), and "the foresaid standards of doctrine and covenants." It is not easy to understand how a Church can exercise any doctrinal authority if any members chose to take a different sense of the meaning of Scripture from that

which the Church prefers.¹⁵ Herein had lain the manifest peril of the Kirk ever since the Reformation.

The Assembly passed by the protestation—the defiance we may call it—in silence. Government, both in the king's letter and in a remonstrance of the Commissioner, had noticed the dissensions of the preachers, and, thinking of Atterbury's and Laver's plots, had implored the clergy to avoid an open breach. Otherwise the Secession might have occurred ten years before it actually happened, though it is not easy to see in what respect it could have aided the cause of King James. The dissenters would, in no case, have donned the white cockade while James remained a Catholic.

The general result of 'The Marrow' controversy was that "several ministers who were cordially attached to the constitution of the Church of Scotland had their confidence in all national Churches shaken," and two began to show a preference for the Independent model over Presbytery. Wodrow writes that "the serious part of this Church are in greater hazard of turning to the excesses of the Independents than many are aware of." "The Cromwellian Ghost" was doing its work; the ideas of "those erroneous parties, the Sectaries," as they were called in Cromwell's time, were being revived. Wodrow himself (1727) was "almost weary of the chicane and different views we have," as Baillie, long before, had been disgusted by the "niggie naggies" of the Protesters, the godly, the left wing of the Covenant.¹⁶

If men of learning like Wodrow, and the majority of the ministers, conceived that the minority, the Marrow men, were verging on the Independent error, the Marrow men looked on the majority as "Neonomians." This is the view of an eminent modern authority, Professor MacEwen of the United Free Church. Whether or not that Church is the spiritual descendant and heir of the Marrow party, and of the Secession, it might be dangerous to conjecture, as the theme is infinitely ramified and tempers are fiery. At all events, Professor MacEwen says that the Marrow doctrines, as preached by Boston and Hog, were "faced by an unwillingness to accept those doctrines in their completeness, which earned the name of Neonomianism. A strange school this latter was—predestinarian and forensic in its theory, yet prone to vague moralising, and disposed to tolerate anything but evangelical earnestness. Every man was "saved" or "lost"; but salvation was secondary to decent behaviour, and no man had a right to meddle with another man's

opinions. It was enough to be willing to "accept the Confession of Faith."¹⁷

To accept the Confession of Faith is to accept a good deal! Wodrow would have been much surprised had he learned that he thought "no man had any right to meddle with another man's opinions." The Kirk, generally, was still hostile to toleration, and meddled with the opinions of its children and others very frequently. From the point of view of the community, salvation *is* "secondary to decent behaviour." If all men and women behaved indecently, the fact that they were all "saved" (even if it could be scientifically verified) would be a poor consolation for universal impropriety. If to hold sensible opinions is to earn the nickname of Neonomian, we must remember that the good men who thought decent behaviour secondary to salvation also earned the name of Antinomian. Parties will inflict sobriquets on their adversaries, and each side would have eagerly repudiated the account of its tenets which its opponents gave. The evangelical Marrow men would never have admitted that, if you are saved, the indecency of your behaviour is a quite secondary consideration. The anti-Marrow men would have protested that they were as good Calvinists as Calvin, and that they denounced the blasphemous doctrine of toleration and of not meddling with other men's opinions. The fault of both parties was a passion for what Wodrow calls "chicane."

The various Presbyteries of the country seem to have been more tenaciously orthodox, as against 'The Marrow,' than the General Assembly, and young postulants of holy orders were severely questioned as to their private opinions. But 'The Marrow' was only one cause of the coming Secession, though Marrow men were active in that disruption. Another cause of uneasiness in the Church was the Oath of Abjuration imposed upon ministers. Deputies from the General Assembly visited London in 1717 to express their grievances in this and other matters, especially Patronage,—practically the greatest, or at least the most obvious and popular, cause of suffering. They were well received by George I., the Prince of Wales, Roxburghe, Jerviswoode, and other men in power, and mitigations were promised. One of their grievances was the toleration of Episcopalians, who, for their part, complained of being persecuted.¹⁸ In 1718 it was intended to modify the Oath of Abjuration, and Wodrow expressed his ideas to Colonel Erskine and to the Earl of Ross. Wodrow thought that

the affair should be left alone, though he himself scrupled at the oath as it had stood. The new oath, with no reference to the Acts establishing the hierarchy in England, would satisfy many. But many others would be as dissatisfied as ever, for to swear allegiance to the king was, so to speak, to condone existing laws, and Patronage, and Toleration, and the existence of Bishops. No real Protestant, Wodrow thought, could hesitate as to King George's right to rule. But to promise by oath to assist the rule of a king under whom one supposes that "iniquitous laws are established," such as toleration, was a very different affair. Did these victims of "chicane" and "niggie naggie" not pray for King George? Apparently they did,—Wodrow says that they did,—so their consciences drew the line at an almost invisible point. The point was, Scripture bids us pray for the king, and to do that is not to "homologate sinful laws." But to pray for a king is to assist the king, and the objection to the oath is that "it is just a solemn promise of assisting the king."

There was, in fact, no use in enforcing the oath. Every Protestant preacher would assist any Protestant king as against any Popish Pretender. But the scruples explained, or rather stated, by Wodrow illustrate the condition of the Presbyterian conscience, or the conscience of some Presbyterians, at this period. In fact, as Wodrow says, some preachers were afraid of "giving offence to their people," who thought that the oath "homologated the Union," while the Union was a breach of the Covenant.¹⁹ The Earl of Ross, one of the Scottish representative peers, said that the ministers, if they will "run from one excess to another," would "discourage their best friends, who cannot hold up their faces to appear for unreasonable notions." The new Act as to the form of the oath was made as inoffensive as possible, and many ministers who had not been "clear," as the phrase went, now swore allegiance. Boston says that "there remained but a few recusants, among whom, through the divine favour, were my two friends and I still." The recusants "were treated as aliens by their brethren." Orders were issued to prosecute the recalcitrants in January 1720: Mr Boston, however, continued to be minister of Ettrick.

The Abjuration ceased to be a great cause of division among the ministers after the oath, itself superfluous and irritating, was modified in 1719. Meanwhile the heresies of Professor Simson were allowed to lie dormant for a few years, only to break forth with

greater and more mischievous vigour in 1727. When we remember that the Professor lectured in Latin,—an indication of more learning than is now universal among students of divinity,—the difficulty of pinning him down to a distinctly heretical opinion is obvious.

But what chiefly wrung the hearts of earnest thinkers was that old Protean sorrow of many shapes, Patronage. "The reimposition of that burden" under Queen Anne was really a mischievous trick of the Jacobites, who had the greatest genius for what they called "teasing the ministers." "It hath been the greatest crush could have been given to the ministry of this church," Wodrow wrote to Colonel Erskine in 1717, when there was some prospect of the mitigation of the Act. Patrons, often Jacobites, and even if not Jacobites fond of teasing, used in many places "to mock God and man with sham presentations, and keeping vacancies empty unless it happened that some one or other got into their good graces who was acceptable to the people and Presbytery." The parish of Ettrick had no minister for four years previous to Boston's induction. Wodrow, as early as 1717, foresaw "an open breach among ourselves" on this head. The stipend, Wodrow remarked, really came in the long-run "from the pockets of the common people," who felt injured at not being able to select their preferred candidate. The patrons who were not mischievous for the sake of mischief, were anxious to obtain political influence in the General Assembly—for example, to wreak their grudge on Argyll, after the Rising of 1715, by inducing the Assembly to include Cadogan's name as well as the Duke's in the vote of congratulation. "This is the bait our great men leap at, and stoop so low as to mix themselves in some of the smallest matters that come before Church judicatories. This makes them raise such a cry against popular calls" to vacant parishes. The result was that Presbyterian government seemed likely "to fall unlamented," dragging down with it "the Kingdom of Christ." These, it must be remembered, are the opinions of an anti-Marrow man, and therefore, Marrow men would say, of one so lost as to hold salvation secondary to decent behaviour. Wodrow's remedies were "that patronage should be abolished, and that the proper callers be determined by law." Ministers selected by patrons would certainly be "corrupt and despised,"—indeed they were despised already, both by the patrons and, when the presentee was unacceptable to the flock, by the people.

The law did not permit any patron to choose the lawyers, doctors, and tailors for the community ; why, then, were they to choose the preachers? As time went on the more popular ministers abstained from attending at the reception of an unpopular presentee or opposed him, and the Assembly's Commission sent some of their own members to fill up the number and do what was needful for the unpopular presentee of the heritors or magistrates. This was called "a riding committee." Up to this date, according to an eminent authority, the Rev. Sir Henry Moncreiff Wellwood, Bart., Doctor of Divinity, the General Assemblies had behaved very well "in providing for the usefulness and respectability of the Church, and for the peace and security of the country." Since the restoration of patronage in 1712, "the proceedings of the Church courts were founded more on the calls than the presentations ; . . . vacant parishes appear to have been very generally filled up by the presbyteries, either with the tacit consent of the patrons, even when they lodged their presentations, or *jure devoluto*, when they did not present at all."²⁰ The power of a patron to keep a parish vacant, either by appointing a Non-Juror, or a preacher who had a better living and would not accept, or in other annoying ways, was removed by an Act of Parliament of 1719, when these methods were made of no effect. The result was a few years of comparative calm in the Kirk, and our author avers that "what was afterwards called *the divine right of the people* to elect was not even then brought forward."²¹

After 1725, when the Assembly's Commission overruled the local Synod of Aberdeen and settled the candidate of the Magistrates, not of the majority of Elders,²²—a settlement upheld, though not approved,—passions became more lively. In the Assembly of 1726 the divine right of the people was proclaimed by Mr Gabriel Wilson. "He said warmly that the Commission had betrayed the rights of the Christian people."²³

Leaving the controversy for the moment at this point, we naturally ask why a Whig administration did not abolish a privilege so odious as patronage was to serious concerned Christians? Compensation might have been given for such infinitesimal loss as patrons would have sustained, and the Government had no sympathy with Jacobite patrons. Why, again, did the General Assembly tend to back presentations which were opposed, rather than otherwise? Perhaps we may conjecture that the Scottish members of Parliament were

often patrons themselves, and that English members were afraid of losing their own more valuable privileges. Again, neither the Government nor the majority of the Assembly liked the class of preachers whom the populace would have selected. Patriotism and hatred of the Union, with the love of long sermons about Grace regarded from the point of view of 'The Marrow,'—sermons mainly doctrinal, with not much about decency of behaviour,—were what the parochial patriots and dialecticians seem to have enjoyed. Consequently they would vote for preachers like Hog, Wilson, Boston, and Ralph and Ebenezer Erskine, who would not take the Oath of Abjuration, and would discourse eternally on Man's Fourfold State, with unction of 'The Marrow' variety.

These were honourable, scrupulous, laborious men, highly conscientious, and devoted to their duties as they conceived them. Boston's scruples about his "Call" fill many pages of his Memoirs, in which, if his style is "sometimes Shakespearian" (as the Rev. Dr Whyte declares), that quality is not conspicuous to the lay intelligence. Still, if we do not quite sympathise with Boston and his private written covenants between "I, Mr Thomas Boston, Minister of God's Word at Simprin," and Omnipotence, we do see that he lived a hard and toilsome life, "as ever in his great taskmaster's eye." The "liberal shepherds" of Ettrick could not but be affected by his devotion: they also loved sermons that ranged the mountain-peaks of foreknowledge and freewill, and they "tholed" the "exercises" and catechisings. But human nature is so constituted that the majority of the Assembly were neither Marrow men, nor Non-Abjurationists, nor specially devoted to speculative theological chicane, nor, doubtless, such very strenuous wrestlers in prayer as some of the "Evangelical" leaders. They were not likely to begin praying in church and go on praying till it was time to "skail" and go home, in a kind of holy absence of mind, as one minister is said to have done. They did not practise the popular whining delivery called "the sough,"—"Gie me the sough, and I dinna care for the sense," said an amateur. They therefore moved away from the extreme left with its obsolete Covenanting principles: they were not anxious to support the calls of such men as against the presentees of patrons.

Mr Ralph Erskine, born in 1685, was an example of the anti-Abjurationists, and was a poet. In an ode on the coronation of

George I. he sang to the following effect (and to no other effect, his Majesty caring little for the English Muse):—

“Redeem us, Sire, from things our country loathes,
Subverting patronages, ranting oaths,
Such was the woful dubious Abjuration,
Which gave the clergy ground for speculation,
Though all could freely, without laws to urge,
Abjure the Papish James, and swear to George.”

This is admirable, but—would they “swear to George”?²⁴ As Mr Erskine prayed that the descendants of George I. might sway the British sceptre

“Till Nature fail, unhinge the ponderous globe,”

his loyalty is as pre-eminent as his scruples are respectable. He described the White Rose cause as that of “black and bloody Popery.” In the preface to his ‘Gospel Sonnets’ Mr Erskine averred that ‘The Marrow’ doctrines were “the good old way”; whereas the Assembly was seriously convinced that *theirs* was “the good old way,” for their way “required faith, repentance, and sincere obedience as the conditions of salvation.” Mr Erskine was “opposed to this dangerous though specious and palatable scheme.”²⁵ But his own scheme, though “palatable,” especially to persons disinclined to “faith, repentance, and sincere obedience,” was also more or less “dangerous.”

Before this quarrel between parties, which had each a good deal to say against the other, died out, “that unhappy Mr Simson,” the dubiously orthodox Professor lightly handled in 1717, again caused discord of a far-reaching sort. He was accused, in short, of controverting “or minimising the doctrines of the Creed of St Athanasius.” Previously he “tended to attribute too much to the power of human nature.”²⁶ Now he tended to attribute too little to the Divinity of the Son; in fact, he was suspected of Arian positions—those of Professor Whiston of Cambridge and Dr Samuel Clarke. In 1726 the eminently devout Lord Grange, Mar’s brother, wrote to Wodrow, in strict confidence, that, as the *fama* ran, “Your neighbour, Professor Simson, has discovered himself to be for Professor Clarke of St James’s scheme.” The Presbytery of Kirkcaldy, or some of its members, had already endeavoured to stand in the breach—at least, the Kirk-session of Portmoak (March 1725) had invited

the Presbytery of Kirkcaldy, in the name of the Solemn League and Covenant, and on other considerations, to remember St Athanasius and protest against the Arian heresy, "lately raked out of hell."²⁷

Mr Ebenezer Erskine was the moving spirit at Portmoak, of which parish he was minister, and we see that he was in the field before Lord Grange aroused Wodrow, who, to be sure, had heard of Mr Simson's heresies before Lord Grange wrote to him. Wodrow also knew that Mr Simson denied the reports spread by the men who attended his lecture, and for two years he had censured Dr Clarke's, and even Sir Isaac Newton's, view, "which he takes to be the foundation of all the Doctor's mistakes." It is always unlucky for scientific men to mix themselves up in theological discussions.

Mr Simson was in bad health,—he could talk of nothing but the Council of Nice (let us pity Mrs Simson),—and it was believed that his brain was affected. Consequently the local Presbytery had not summoned the Professor of Divinity before them to give an account of himself. When the Assembly of May 1726 met, five Presbyteries, including that of Kirkcaldy, opened the cry against Mr Simson, and a Committee, including Lord Grange, was to inquire into the views of Mr Simson's own Presbytery, that of Glasgow. "Where it will land, the Lord himself direct." The only comfort was "the king's forward prosecution of the Papists,"—always the whipping-boys of Presbyterian justice. Meanwhile the Presbytery of Glasgow was ordered to go on with the inquiry into the Simsonian theories, aided by a Committee of their own selection. "The consequences are very awful and doubtful," writes Wodrow. Mr Simson himself was said to regard these proceedings as inquisitorial, but, says Wodrow, "if a Church has not power to inquire into the doctrine of her teachers, I know no power she has." Wodrow himself, and even Lord Grange, with the Committee, as it seemed to Mr Simson, "declared against inquiring into Mr Simson's private sentiments": this was not the view of the Presbytery, which pressed its intimate inquiries. The inquiry was based on what the Professor's students said, and many of them were "raw young lads," who probably understood little about what he had told them. It is curious that they do not seem to have made notes in lecture: at one time the students at St Andrews were formally forbidden to take long notes. Obviously Latin

lectures, reported on merely from memory after a lapse of time, were not a basis of sound evidence. To one student who urged objections the Professor replied : "These terms are very impertinent, and should not be used in speaking of sacred subjects." Wodrow himself wavered about "the inquisitorial method," appearing rather to approve of it, but placing his main confidence in Lord Grange, a person interested in his antiquarian collections.

It is curious to note how secular politics were intertwined with controversies on Christian mysteries. In August 1733 Lord Grange wrote a brief account of his own political career, in a letter to Erskine of Pittodry. We learn that the old feud of the Squadrone and Argyll's party, the Argathelians, was mixed up with the Athanasian controversy. The Squadrone being in power, the Argyll faction "were particularly run down in the Church judicatories, where most of the clergy, with the usual honesty of clergymen, ran headlong against the weak, and servilely crouched to the prevailing." As "the prevailing" backed Mr Simson, "a Court minister," the Argyll faction backed his persevering assailants. Lord Grange says that he was neither of the Argathelians nor of the Squadrone, but, as a member of the Assembly, "was against Simson." This procured for him the promise of Argyll and Islay that "when they came to power I should be chiefly regarded," and "I ran their errands and fought their battles in Scotland." It is not clear to what extent Grange's opposition to Arianism arose from his interested attachment to Argyllism.²⁸ Meanwhile Lord Grange was having his termagant wife kidnapped by Lovat's men and deposited in St Kilda.

Still, in March 1727, the luckless Simson was trying to find out what charges were to be brought against him, and was said to have remarked that the proceedings were "an unfruitful work of darkness." His case was to come before the Assembly in May. By the end of March he did not know what that case might be, and his health was seriously affected. At last the Assembly met in May, and the Moderator prayed for, and preached in favour of, "the peace of Jerusalem." They could have "no assistance of reason" in the case before them; "the subject was so delicate and tender that he trembled to speak of it." In spite of the very defective nature of the evidence, already explained, a large majority found the chief article of heresy proved against the Professor. No words can give any idea of the confusion in a large meeting, where

quillets of the rules of procedure were mixed with reasonings on matters which, as the ex-Moderator confessed, are beyond the range of human reason. Was Simson to be suspended as a Professor, or deposed, with loss of place and salary? That was really the point on which parties were fighting. He was suspended for a year, when the whole affair was to come up again.²⁹ Lord Grange told Wodrow that there was danger lest Simson's theories should appear, in England, to be opposed only by "odd out-of-the-way people," such as the founders of the now approaching schism. In 1728 Mr Simson "purged himself from all heresy, and answered questions "very orthodoxly, and as they would have him." But if the Assembly now purged Mr Simson, as a cleanly orthodox man, and restored him to his chair, "there will be a breach," said Wodrow.

One fanatic proposed that the Higher Excommunication should be levelled at the Professor,—“this might be blessed to him.” And all this on the strength of witnesses to a conversation with Simson in the open air, witnesses giving evidence more than a year after the talk! The Assembly remitted the case of Simson, who, if he had erred, had recanted, to the vote of the Presbyteries. The majority were for deposing the Professor; but he was merely suspended from preaching and teaching, “until another Assembly shall think fit to take off this sentence.” Only Mr Boston of Ettrick verbally dissented.³⁰ The other “Marrow brethren,” like the Erskines, thought that they were sinfully negligent in not making more formal opposition,³¹ and when horror of patronage was added to distress that Mr Simson was not deprived of his salary, the match was set to the powder and the schism broke forth.

Patronage now came again to the front, and the Assembly forced presentees on reluctant parishes and Presbyteries by their “riding committees.” The ministers in a Presbytery who happened to dislike the presentee, lodged long and verbose protests with the Assembly, which in 1730 forbade these documents to be entered in their records. In December 1730 Wodrow wrote to Lord Grange, “We have been so obsequious already to presentations, and done more than perhaps the law requires.”³² But in September he had remarked, “The Assembly had nothing of any importance before them. We are year after year vexed with litigious debates with patrons and parties as to settling of ministers,—matter of very great trouble to all our judicatories, greater and lesser, and I am

afraid will have very ill effects on serious religion.”³³ The good historian was passing weary of debates and quibbles, and soon his letters cease. Soon he had “gone home and ta’en his wages,”—a man void of offence, insatiably eager for knowledge, simple, moderate, laborious, and, considering the strength of his feelings, a candid as well as an industrious historian.

Many presentations were in the hands of the Church herself, which presented when the patron, for any reason, did not. Sometimes a Presbytery selected a preacher, sometimes they allowed the congregation to do so. In 1731 there was a proposal or “over-ture” before the Assembly that, when nobody was presented, the Elders, and *Protestant* landholders, called “heritors,” should elect, or, in Royal Burghs, the Elders and Magistrates: their choice was to be laid before the congregation, and, if they disapproved, the Presbytery was to decide. By the terms of what is called “the Barrier Act” of the Assembly, this proposal was laid before all the Presbyteries, for ratification or rejection, before being embodied in an Act of the Assembly. Thirty-one Presbyteries rejected this scheme; six approved, twelve approved conditionally, eighteen sent no reply,—thirty-six had not actually expressed an unconditional negative, as against thirty-one who had. But the Assembly of 1732 calmly passed an Act embodying the scheme, and to the Assembly, on May 16, 1732, ’twas Mr Ebenezer Erskine who spoke. He and others had protested against the Act (Scottish History is a long series of protests!), but their document had not been received. Mr Erskine towered to the old heights of Knox and Melville,—“Christ, the exalted King of Zion,” was the only source of ecclesiastical authority. He had given to mortals His Word. On what part of the Word the Act of the Assembly was founded Mr Erskine confessed that he did not know. Indeed it would be hard to find in Holy Scripture any precise statement as to the right of Presbyteries to decide on differences between congregational “calls” on one side, and those of Protestant heritors combined with Elders on the other. Said Mr Erskine, “The privilege of His little ones is conferred,” by the Act, “upon heritors and the great ones of the world.”³⁴

At Stirling, in a sermon preached on June 4, 1732, Mr Erskine again expressed himself, as also on October 10 at Perth, “with great freedom,” says his biographer; “with inflammatory declamation,” says the Rev. Sir Henry Moncreiff Wellwood, D.D., Bart.

"Professed Presbyterians," said the preacher, who thrust a minister on a reluctant congregation, "were guilty of an attempt to jostle Christ out of His government." He used phrases which were certainly capable of being interpreted as unpleasant reflections on the majority of the General Assembly, drawing a parallel between them and the Scribes and Pharisees. Persons of common-sense would have let the speech pass unchallenged, but the Synod of Perth, which had appointed Mr Erskine as Moderator, snuffed the battle from afar, debated vehemently for three days, and then censured some of his phrases as tending to provide a breach of the peace of the Church. Then, as was to be expected, the wonted protests were put in: alas, it is hard for clerical brethren to dwell together in unity! Mr Erskine had spoken under considerable provocation, offered to his brother, Mr Ralph Erskine, in the matter of his resistance to the entry of a new minister at Kinross. At the meeting of his Synod, in April 1733, he would not apologise, but spoke, in language rather exalted, about "the utterance given by the Lord to me at Perth," wherein "I delivered His mind, . . . and therefore I dare not retract the least part of that testimony."

Mr Erskine may have believed that he preached under the influence of direct inspiration, or he may merely have held that his inference as to how the Founder of Christianity would have viewed the Act of Assembly was a correct inference; but there was no means of verifying the truth of an impression which was not shared by his opponents. They, in their turn, might say disagreeable things about him from the pulpit, and declare that "the utterance" was "given to them." Everything is so subjective in such matters. Sir Henry Moncreiff Wellwood thinks that there was nothing very remarkable in Mr Erskine's impugned sermons, which might have been quietly passed over. Mr Struthers deems that "their piety and noble spirit of independence" make them "admirable." The General Assembly of 1733, however, voted that Mr Erskine "had vented expressions" which were "offensive," and that he should be rebuked. Mr Erskine listened to the rebuke, and, it is needless to add, put in a protest. Three clerical friends followed his example, and, even now, all might have passed off quietly. The protest was lying on the table, when some unknown agency, possibly the law of gravitation, "as Providence ordained," says Professor MacEwen,³⁵ caused the document to drop off and fall to the floor: some one picked it up, looked upon it, and

proclaimed aloud that it was an insult to the House. Mr Erskine stated, in his protest, that his rebuke implied that he had "departed from the Word of God," whereas to others it only seemed that some of his expressions had been described as "offensive." The Assembly found that the protest of the Four must be apologised for in August, otherwise they would be suspended, like Mr Simson; while, if they acted contrary to their suspension, the Commission of the Assembly would proceed to a higher censure. In August the Four would not say that they were sorry, and suspended they were; so they put in protests, as did their ruling elders. Any one who, during their suspension, did any part of their pastoral work, "shall be held as a violent intruder," which appears to give a sufficient hint as to how he was likely to be treated.

In November the question of the "higher censure" came up, and the Commission of Assembly now tried to build a bridge of gold whereby the dauntless Four might return to the fold in peace. They were offered these terms: If the next General Assembly shall declare that it was not meant by the Act of the last General Assembly "to deny or take away the privilege and duty of ministers to testify against defections, then we shall be at liberty and willing to withdraw our protest against the said Act of Assembly, and, particularly, we reserve to ourselves the liberty of testifying against the Act of Assembly of 1732, on all proper occasions." But no; the Four would not accept the terms, though they were given a night to think over them. They had "no freedom to go into the proposal." No decision of a subsequent Assembly, they said, could "take away the ground of protesting against a wrong decision of a preceding Assembly."

This was, indeed, "greatly to find quarrel in a straw." They were then "loosed from their charges," so they put in protests. They were in communion, they said, with the True Presbyterian *Covenanted* Church of Scotland," but not "with the prevailing party in this Established Church." They protested that they still could, and would, exercise the Keys of doctrine, discipline, and government"—in short, they were now the nucleus of the True Presbyterian Covenanted Kirk, with the Keys of St Peter at their belts.

However much we may sympathise with the sentiments of the four Seceders, as regards clerical subserviency towards heritors and "the great of this world," their secession seems to have been injudicious. They had admirers and adherents enough within the

Kirk. They had, apparently, no reason to despair of ultimately becoming a majority, capable of reforming the Kirk from within. In place of persevering in this laudable effort, they went out, thanking Heaven pharisaically that they were not as these Pharisees. Pugnacity is the *péché mignon* of such very good men as these were. They prefer a sword to peace, and rejoice in the delight of battle. It is argued that they were finally deposed "because they had formed themselves into a Presbytery [this they did later] for the purpose of giving to their countrymen a pure dispensation of Gospel ordinances, unfettered by the laws of patronage and other Acts of Parliament."³⁶

To do this might be praiseworthy, but it was obvious that, if they seceded from the State Church, that Church had no choice but to separate them from her, as they had separated themselves. You cannot both eat your cake and have it. Mr Grub, a very fair writer, says that the opinion just cited as to the unrighteousness of the deposition of the Seceders "would be reasonable enough if proceeding from an Independent, but is unfair on Presbyterian principles."³⁷ That is precisely the opinion of Wodrow in his letter of October 27, 1727, to Mr Marr of Murross,—the letter printed in 'The Christian Instructor' of 1832, but omitted by the Rev. Thomas M'Crie from his edition of Wodrow's 'Correspondence': "I am apprehensive that the serious part of this Church are in greater hazard of turning to the excesses of the Independents than many are aware of." Wodrow was right, though, during the excitement of the great Disruption (1843), his Editor omitted his letter on the subject.

On December 5, 1733, the four Seceders met at Gairney Bridge and constituted themselves into a Presbytery, with a Clerk and Moderator. In 1883 a monument was erected on the spot, or near it, "the dedication address being given by Principal Cairns."³⁸ The number of the names was six,—both Erskines, Wilson, Moncrieff, Fisher, and Mair; but Mair and Ralph Erskine were not yet in this "Associated Presbytery." Being a Presbytery, the Four were not Independents: such was their position. They did not yet "exercise the Keys" in a judicial way, but they published a 'Testimony.' They were still seceding, not from the Kirk, but from a prevailing party in the Kirk, which, by "riding committees," was taking from Presbyteries "that power and authority that they have received from the Lord Jesus."³⁹

The measures of the prevailing party also "do actually corrupt, or have the most direct tendency to corrupt, the doctrine contained in our excellent confession of faith,"—for example, Mr Simson had not been deprived of his salary. Moreover, preaching was in the way to become "a sapless and lifeless descanting upon the moral virtues," of which people do need to be reminded, if we may judge by the Sermon on the Mount, and many Apostolic passages in the New Testament. There were other charges, and the Four "believe that Christ hath appointed church officers under Him, distinct from the civil magistrate, and that to these are committed the Keys of doctrine, discipline, and government."

It is plain that if all preachers had agreed on this head with the Four, and had understood their power of the Keys in the sense of the claims of Knox and Andrew Melville, the State must now have entered into the old war with the Church. However, fortunately, nothing of that sort was necessary, though the Four did believe it lawful for a minority of a Church "to manage the Keys of the kingdom of heaven," if the majority declined from "purity of doctrine, worship, or government"—in the opinion of the minority.⁴⁰ The Four "testified their belief in the perpetual obligation of the National Covenant and of the Solemn League and Covenant." The country was not with them on this head: a Covenanted king was not to be found, either at Rome or Herrenhausen, for

"Nature brings not back the mastodon."

Ideas like those of the Four were cherished by many serious concerned Christians, for the old leaven of the Covenant worked among the more earnest of the populace. Perhaps the Assembly saw that some of their steps had been erroneous, and that one, the Act of 1732, was in all probability illegal, a breach of the Barrier Act: perhaps they were frightened. They repealed in 1734 the Act of 1730, rejecting protests, and the Act of 1732, about filling up vacant pulpits. Approval of the deed of the Commission in suspending the Four was reserved, and the Assembly in 1734 and in 1735 sent a Commission to appeal to king and Parliament against patronage. They did not, however, pray to be admitted as a body into the Associated Presbytery of the Four. They did assert the liberty of preachers to "testify," and declared that they had never restrained or intended to restrain it. The Synod of Perth and Stirling was granted powers to restore the four brethren,

and the Presbytery of Stirling asked Erskine to be their Moderator. But Erskine was as obdurate as Achilles in the Ninth Book of the 'Iliad,' when he is adjured to accept the offers of reconciliation.

"Dishonour not thou the heroes that beseech thee, who to thyself are the dearest of the Argives ; dishonour not their petition nor their journey hither, though in the past thou didst no wrong when thou wast wroth." So Phoenix prayed Achilles,⁴¹ and so the Presbytery of Stirling, that to Mr Erskine were "the dearest of the Argives," implored him. But Mr Erskine had read the Gospel in a sense rather different from that in which it is accepted by men less earnest. He gave exactly the same reason for his obduracy as Achilles gave in the case of Agamemnon's petition for reconciliation, which shows the uniformity of human nature before and after the coming of the Gospel. Agamemnon, says Achilles, "hath done wickedly, but never again shall he beguile me with fair speech—let that suffice him." In the same way, says Mr M'Kerrow, Mr Erskine "was convinced that the majority [of the Assembly] were actuated by the same spirit as formerly." The majority, he said, "were actuated by the same spirit of defection as ever,"⁴² just as Achilles did not believe that Agamemnon was sincere in his repentance. The majority, by cancelling their Acts, had now done what they could to show their repentance, but it was not enough. Mr Erskine knew that their bad hearts were unchanged. "In my opinion," said the Achilles of the Secession, "it would be by far much wiser for these reverend brethren" (who asked him to return to them) "to come out from the dangerous current to us, than for us to come back to them" (Jeremiah xv. 19-21). Thus closely did Mr Erskine imitate Achilles, who invited the other heroes to go back with him to Greece and desert the cause of their army.

The conduct of Achilles was reprobated even by the rudimentary ethics of Homer's age. Achilles was young and fiery : Mr Erskine was fifty-four years of age. But he was a very good man, and very much wedded to his own infallibility. He and his friends displayed considerable acuteness in refining on the terms of the Assembly's offers, and showing why they were not sufficiently excellent. They would not let bygones be bygones. Mr Erskine said that he had been "rebuked for having testified in public." He had really been rebuked for "venting offensive expressions," which is quite another matter. He and the other three offered to return on six conditions,

one of which involved deliberate breach of the law of the land and the Patronage Act; while another would have caused Presbyteries to examine candidates for Orders as to "the work of the Spirit upon their Souls." They are also understood by Professor MacEwen to have insisted that the Church should proclaim a National Fast, in recognition of her guilt in not agreeing wholly with Mr Erskine, or, at least, "for the acknowledgement of past defections."⁴³

In 1735 the Four brethren began to "exercise the Keys" in a judicial way, and to embody in their previous extrajudicial testimony "a *judicial* condemnation of the various steps of defection which had been pursued by the Church of Scotland from the year 1650 downward till that period."⁴⁴

Their ideal, it seems, was the Kirk from 1638 to 1650,—the Kirk that defied the State and laid the distracted country at the feet of an English conqueror; the Kirk that cried for the blood of prisoners and of women after Philiphaugh; the Kirk of MacEvoy and massacre. But that mastodon Nature will never bring back; the brethren, however, could, and blamelessly did, provide "supply of sermon" for persons dissatisfied with the discourses of uncalled and unpopular parish ministers (1736). They did not yet "license young men" as preachers. They *did* solemnly meet and confess their past ecclesiastical defections to each other, and admonished each other with perfect and amazing gravity at their own bar, like the repentant Kings Valoroso and Padella when they reciprocally flagellated each other for the excesses of their reigns. Such a lack of humour was a warrant for success in their enterprise, and it startles their historian, Mr M'Kerrow.⁴⁵

The Assembly, in the humblest way, now passed an Act enjoining frequent insistence by preachers on the doctrine of St Athanasius and "the necessity of supernatural grace," and they declared against intrusions of preachers on reluctant congregations, but did not always act up to their principles; while they merely admonished Professor Campbell of St Andrews to be careful, in place of deposing him for some expressions in a pamphlet, 'The Apostles no Enthusiasts.' This appears to have been regarded as a slur on the Apostles. In December the Seceders published their 'Judicial Testimony,' exercising the Keys with vigour: the Porteous Riot, for reasons to be later given, added to the excitement. In 1739 the brethren, now an organised Church, declined the jurisdiction of

the General Assembly; and, at last, in 1740, were deposed by a majority of a hundred and forty to thirty. Secession had long been imminent: for at least twenty-three years it had been foreseen. Now it had come, with the usual mixture of good and evil consequences. Among the bad results was the exhibition of much very unchristian temper. The result would have been worse had the whole Kirk returned to the fanatical and cruel superstitions of Waristoun and the Protesters of 1650.

This would have implied a revolt against the uncovenanted George II., while, had King James been dead and Prince Charles his own master, Charles III. would have come home and taken the Covenant more nimbly than did Charles II. It would have been necessary to follow the Earl of Morton's old advice and hang a few preachers. But the Kirk at large did not join the Seceders, who renewed the Covenants in a purely platonic way, remaining perfectly loyal to the uncovenanted Hanoverians. Their motive for renewing the Covenants is stated by the biographer of the Erskines as "a wish to unite friends of Truth," which may conceivably mean to bring the Cameronians into their new Kirk. The religious Presbyterians, we learn, regarded the treatment of the Covenants during the Restoration "as a heinous provocation to God," who, in a forgiving spirit, brought the Prince of Orange over. In 1741 a draught of an Act for renewing the Covenants was tabled before the Associate Presbytery, and was warmly welcomed as highly seasonable, except by a Mr Nairn. He was of the old Dissenting or Cameronian principles as to existing Government—namely, that in the eyes of God it did not exist. It is to be presumed that Mr Nairn emitted protests; at all events, in 1743 he seceded from the Seceders, and joined Mr John MacMillan in founding quite a new ecclesiastical Court, "The Reformed Presbytery." But Mr Erskine persevered with what he called "the begun resurrection of the Covenants" in Stirling, where James Guthrie had been maltreated by Malignants before he was hanged in Edinburgh. On St Valentine's Day 1744 the Seceders made the taking of the Covenants "a term of Ministerial and Christian Communion."⁴⁶ The Church at large could never have relapsed with them into a proceeding so absurdly intolerant and so worthy of Mr James Guthrie. It is obvious that if the Erskines and their associates were the men to refuse to communicate except with persons who revived an obsolete folly, they must

have seceded sooner or later, and we learn that "not a few of the seceding ministers were afterwards sensible of the sinfulness of this act." It was at least as silly as sinful, but it does not seem that many parishes entered into the folly, and a rift within the Associated Presbytery deferred the work.

Time brings wisdom, and in 1841 Mr M'Kerrow, the historian of the Secession, frankly confesses that the original old Covenanters went too far when they "violated the rights of conscience, making the subscribing of their bond the test of a person's holding any office—civil, military, or ecclesiastical. In this respect their conduct deserves not praise but blame," which falls on Mr James Guthrie, among many other fanatics.⁴⁷ Indeed, Mr M'Kerrow, much to his praise, goes further than many modern sentimentalists among his countrymen. He denounces the extremists of 1638-1650 for "foolishly attempting to compel all, *vi et armis*, to come within the bond of their darling Covenant, as if no person could be either a loyal subject [such subjects the Covenanters excommunicated] or a true Christian who preferred remaining without the mysterious circle."

The New Covenanters drew up their Covenant "in a suitableness to their present circumstances," which the original Covenanters did not. However, they made the Covenant "*the* term of ministerial and Christian communion, as if this constituted the only satisfactory evidence of a person being a genuine Christian. . . ." ⁴⁸ Another modern sympathiser remarks that this new Covenanting was "a harmless piece of religious antiquarianism," which seems uncertain. If a soul which could not find rest in the Kirk sought a home in the Church of the Associated Presbytery, and then was met by the foolish demand for signature to the Covenant, where was that soul to shelter? The original Covenant's banner meant "Blood, and No Quarter" (as Mr Richard Cameron tersely put it) to members of other denominations. The "circumstances" of the New Covenanters were not "suitable" to the demand made on them by the old Covenant: the circumstances were such as to subject them to a prelatie king, a "Baal-worshipper," in the old phrase. Decidedly there was a lack of lucidity of thought and of sweet reasonableness among the Fathers of the Secession. The peculiarities which they developed prove that they could never have been at ease within the national Kirk, and even fostered within that Kirk the growing horror of what was then called

“enthusiasm.” Now, as we understand the term, a religion with no enthusiasm is a religion with no vitality, and we find it easier to sympathise with the old enthusiasts, despite their more eccentric vagaries, than with such Moderates as, perhaps, were not really without religion, but thought it in good taste to keep that religion as inconspicuous as if it had been absent.

The causes of the dissensions in the Church are sufficiently conspicuous. The old Knoxian spirit of the ministers in general had been crushed by what they saw of its consequences between 1638 and the Restoration. From 1638 to 1650 the Commission of the General Assembly had been a terror to many, and, as Baillie’s correspondent, Mr Spang, observed, was by no means consistent with ecclesiastical freedom for any ministers who would not go to all lengths with the extremists. The success of the extremists had caused the defeats and the conquest of the country, and had split the Church into the hostile parties of Protesters and Resolutioners; while the English governors of Scotland during the Cromwellian occupation had not been favourable to the rigours of Presbyterian discipline, nor to the abominable cruelties practised on persons accused of witchcraft. The misgovernment of the Restoration, with the ferocities of torture inflicted on men like Mr Mackail, did not unite in a common sorrow the old contending parties of the wilder and milder ministers; for the murders committed on Archbishop Sharp and others, with Renwick’s declaration of private courts and war by assassination, and other frenzies of the period, were denounced by the majority of the clergy, who were disdained by the more furious for their acceptance of the Indulgence. After the Revolution the influence of William of Orange was entirely on the side of moderate measures, as far as that influence went, and the conformist ministers who retained their parishes were, in a few instances at all events, men of sense and toleration. In the remote isle of Tiree Mr Fraser was producing his interesting speculations on the Second Sight, and at Aberfeldy Mr Campbell was compiling his quaint ‘Secret Commonwealth of Elves, Fauns, and Fairies,’ each author writing as if abnormal or supranormal phenomena were not causes of wrath, and works of Satan and his human servants, but things quite in nature. Their spirit was entirely unlike that of Wodrow, and of the Seceders who protested against the abolition, in 1734, of the old laws against witchcraft. The labours of the Royal Society,

and of Newton, Robert Boyle, and others, were heard of throughout the country, and, in some places, produced the "drolling Atheism" of the Restoration; in others a dislike of the minute certainties of Calvinistic dogma, and a desire to make the most and the best of what is best in "the natural man."

The Revolution of 1688 had hardly been accomplished, as we have seen, when the restoration of trade and a fair share for Scotland in the commerce of the world diverted thought into other than theological channels. Near the beginning of his career (September 1709) Wodrow averred that the nation "would go down into Egypt," having "ceased to depend on holy and kind Providence for the outwards in trade, &c." Merchant ships, he reckoned, were likely to bring the plague as part of their cargo; however, the country risked it.⁴⁹

It is curious to observe that Wodrow, who occasionally seems so old-fashioned, as early as 1709 takes a low sense of spiritual experiences which were very important to Boston. In fact, he is against what was beginning to be called "enthusiasm." Professor Campbell, in his censurable tract on 'The Apostles no Enthusiasts,' derided "the exercises," so frequent among the serious, of long private prayer, resulting in a kind of ecstasy of incommunicable joy, and in the automatic occurrence of comfortable or monitory Scriptural phrases to the mind. One of the murderers of Archbishop Sharp had a phrase thus "borne in upon him," and the experience was looked on as more or less of the nature of inspiration from without. Campbell averred that the phenomena were "mechanical," the result of a brain and nervous system deliberately wrought up to excitement, while the owner of the brain might be, and often was, a wicked hypocrite. The Apostles, he argued, were not men of this kind, but sober and scientific observers of an astonishing train of actual events. His object plainly was to deal a sly stroke at the Seceders and other "enthusiasts," and his language, in one passage, was neither respectful nor justified by his documents in the Gospels, Acts of the Apostles, and the Epistles. The subjective phenomena of religious experience need to be studied in another spirit than Campbell's.

Wodrow, as a young man, in 1709, speaks thus about "the more closely exercised" of his own little flock: "They run to an extreme that I take to be exceedingly dangerous, though I desire to observe it with all tenderness to them. They are frequently shaken, what

with one temptation, what with another, and they take not the safest . . . way to examine themselves by solid Scripture marks, nor go this way to the Law and to the testimony; neither do they draw any comfort from their tender and close walk with God when under darkness; but, in the room of these, limit their inquiry to their former experiences, and till they come up the length of these again they will not be satisfied, and try themselves mostly with respect to the places of Scripture that have been *borne in* upon them, and will receive no satisfaction or comfort till these or some new Scriptures be borne in upon them, to the raising of their affections." ⁵⁰ *

As time went on, the general trend of opinion among the ministers was to discourage these symptoms of religious hypochondria which Wodrow thought "extremely dangerous," and to fall back on "common-sense" and the inculcation of human duties. In this they were encouraged by the success of the lectures in Moral Philosophy delivered, *in English*, not, as was customary, in Latin, by Mr Hutcheson (1729) in the University of Glasgow. These had a great and wide influence among clerical admirers of *le bien, le beau, le vrai*. But they tended to suggest that the natural man was not so totally lost and depraved a being as he ought to be, considering the original error of his Federal Head, Adam. The sermons which were inspired by Hutcheson and common-sense were godless and "sapless morality," in the opinion of the party in and out of the Church later styled "Evangelical" by its members, and "The Wild Men" or "High Fliers" by its opponents, "The Moderates."

We shall later have an opportunity of studying some eminent Moderates, and it will perhaps appear that they carried Moderatism to an immoderate extreme. The sermons of Dr Carlyle, for example, at Inveresk, must have seemed "fashionless" to the more serious members of a rural and piscatorial flock, who probably swarmed off into one or other branch of the Secession,—for the Secession itself broke up into a variety of Sects, each rebuked, and each protesting.

* For a case of strange experiences like those of some Catholic Saints, such as Saint Theresa, see 'Diary of a Senator of the College of Justice' (1717-1718). The senator is Lord Grange.

NOTES TO CHAPTER XII.

¹ Wodrow to Veitch, February 19, 1717 : Correspondence, ii. 237. In the same letter Wodrow says : "We hear Mr MacMillan is dead. I'll be glad to hear if it hold." There could not be a more harmless remark. Wodrow does not say that he will be glad if the report is true, but that he will be glad to have authentic intelligence. His editor, the Rev. Thomas M'Crie, however, says, "This is really too bad, and affords a melancholy proof how far the *odium theologicum* had overcome the better feelings of Wodrow's heart."

² Wodrow, Correspondence, ii. 253.

³ Wodrow, Correspondence, ii., Appendix, pp. 691-693.

⁴ Wodrow, Correspondence, ii. 270, note.

⁵ Grub, iv. 54, note.

⁶ Memoirs of Thomas Boston, p. 317 : 1899.

⁷ Wodrow, Correspondence, ii. 529.

⁸ Wodrow, Correspondence, ii. 546, note 2.

⁹ Edinburgh Christian Instructor, Oct. 1831, p. 698.

¹⁰ Memoirs of Thomas Boston, p. 359.

¹¹ Memoirs of Thomas Boston, p. 364.

¹² Wodrow, Correspondence, ii. 640.

¹³ Wodrow, Correspondence, ii. 647.

¹⁴ Wodrow, Correspondence, ii. 652-654.

¹⁵ Edinburgh Christian Instructor, Oct. 1831, p. 825.

¹⁶ These letters of Wodrow to Mr Marr of Murross and Lord Grange are quoted from 'The Edinburgh Christian Instructor,' Feb. 1832, p. 83, note 4. They are dated October 27, 1727. For some inscrutable reason the Rev. Thomas M'Crie did not publish them in Wodrow's Correspondence, where (iii. 324-326) there is a blank between Sept. 18, 1727, and Dec. 27, 1727. The letters testify to Wodrow's *fond* of common-sense.

¹⁷ MacEwen, The Erskines, p. 56.

¹⁸ See a Diary of Mr Mitchell's expedition to London. Miscellany of the Spalding Club, vol. i.

¹⁹ Wodrow, Correspondence, ii. 408, 409.

²⁰ Wellwood, Life of John Erskine, D.D., pp. 435-439.

²¹ Wellwood, Life of John Erskine, D.D., p. 436. These are very tender themes, and it is not easy to thread the labyrinth of law and debate on the subject. Sir Henry Moncreiff Wellwood, D.D., is here contradicted by the Rev. John M'Kerrow, in his 'History of the Secession Church,' p. 29, note 2 (1841). But as Sir Henry does not advance the proposition which Mr M'Kerrow attributes to him and contradicts, further discussion is unnecessary, especially as Mr M'Kerrow does not precisely cite the passage which he opposes.

²² Wodrow, Correspondence, iii. 197-199, 249, 256.

²³ Wodrow, Correspondence, iii. 254.

²⁴ Fraser's Ralph Erskine, pp. 149, 150 : 1834.

²⁵ Fraser, Ebenezer Erskine, p. 235 : 1831.

²⁶ Fraser, Ralph Erskine, p. 182.

²⁷ Fraser, Ebenezer Erskine, pp. 255-257.

²⁸ Miscellany of the Spalding Club, iii., Erskine to Pittodry, August 1733.

- ²⁹ Wodrow, Correspondence, iii. 234-320.
- ³⁰ Wodrow, Correspondence, iii. 435.
- ³¹ Ebenezer Erskine, p. 260.
- ³² Wodrow, Correspondence, iii. 475.
- ³³ Wodrow, Correspondence, iii. 468.
- ³⁴ Fraser, Ebenezer Erskine, pp. 358-360.
- ³⁵ MacEwen, The Erskines, p. 75.
- ³⁶ M'Kerrow, pp. 64, 135.
- ³⁷ Grub, iv. 65.
- ³⁸ MacEwen, The Erskines, p. 79.
- ³⁹ M'Kerrow, p. 77.
- ⁴⁰ M'Kerrow, p. 81.
- ⁴¹ Iliad, ix. 520-524.
- ⁴² M'Kerrow, p. 87.
- ⁴³ MacEwen, The Erskines, p. 86 ; M'Kerrow, p. 92.
- ⁴⁴ M'Kerrow, p. 94.
- ⁴⁵ M'Kerrow, p. 96.
- ⁴⁶ Fraser, Ebenezer Erskine, pp. 434, 435.
- ⁴⁷ M'Kerrow, p. 194.
- ⁴⁸ M'Kerrow, p. 195.
- ⁴⁹ Wodrow, Correspondence, . 49.
- ⁵⁰ Wodrow, Correspondence, i. 53, 54.

CHAPTER XIII.

THE SECESSION. PATRONAGE. WITCHCRAFT.

1736-1809.

LOOKING back on the Secession from a great distance in time, and from new conditions of thought and life, it is, perhaps, impossible to sympathise fully either with the ministers who went forth from the Kirk or with the Kirk which they left. We cannot easily believe in the corrupt condition that certainly was produced by patronage as then exercised, and patronage was, perhaps, the main cause of the Secession. Fortunately we have evidence from private letters which justifies the feelings entertained against patronage by the Erskines and their associates. In 1736 there was a vacancy for a minister at Duffus. The right of patronage was disputed between Sir Robert Gordon, acting for the Duke of Gordon, a minor, and Dunbar of Newton. The case was laid before the Synod of Moray, who, with the later adhesion of the General Assembly, pronounced for Dunbar. Lovat, that eminent pietist, took an eager share in the dispute. "You may freely depend upon all the assistance in my power," he writes to Dunbar, "and I believe I have as much to say with the ministers of that Synod as any one man that you can write to."

Three of these ministers Lovat calls "pretty fellows, that have a great deal to say in their presbyteries." So Simon (the name is appropriate) sent canvassing letters through the presbyteries of Moray, sent Dalrachanie to ride about in them, and despatched a kind of ecclesiastical fiery cross in favour of Dunbar's candidate, the Rev. John Bower. In the General Assembly, too, Simon used all his influence, which, with members from Badenoch, Strathspey, and the shire of Inverness, was considerable indeed. "I have

some leading men of the Church, that are in the first posts in the nation, who, I think, are the prettiest men in the Church, who are my very good friends." We cannot imagine the Erskines on friendly terms with Lord Lovat. In the Assembly, Sir Robert Gordon canvassed vigorously, addressing every member personally. On the other side, Mrs Dunbar travailed among the ladies,—the wives of members, it is to be presumed. Sir Robert perpetually entertained the members of the Assembly at dinner and breakfast, while the Dunbar party regaled them with "suppers at taverns, which comes to no small expense." The strife between Sir Robert Gordon and Dunbar was at bottom a private dispute at law, but it was fought out over the people of the kirk of Duffus, the competing ministers being only pawns in the game.

Mr Bower died in 1748. Several candidates appeared. One, a kind of Scottish Mr Collins (in 'Pride and Prejudice'), wrote thus to Mr Dunbar, the patron: "If ye shall judge it proper to bestow any particular friend or relation on me as my wife, I hereby promise not only to keep my affections free, but also, with God's assistance, to accept of her, preferably to any other person whatever, as my future spouse. . . . I beg this may be secreted from the world." This clergyman's affections were very well regulated. He makes no inquiry as to the character of the lady whom his patron is anxious to bestow in matrimony. Brodie of Brodie, representing the famous old Covenanter, writes in support of a candidate of his own name. He could not write in a style more godless. "I hear Mr Bower is past recovery; so, if he dies, I recommend James Brodie to you as a man cut out to your own mind,—a good preacher, and a modest, civil, obliging, obedient fellow, with whom you can be quite easy; nay, you cannot find such a man for your purpose in the island. Nay, further, Spynie and I can become bound he shall demit whenever you are tired of him."¹

Against patronage thus exercised, with treats to the General Assembly, with recommendations as if of a rat-catcher, with abject pleadings as of the minister who was master of his affections, what decent man could forbear to protest? Against the other side, the side of the Seceders, was their great anachronism, the Covenant, and their meticulous Calvinism does not favourably dispose towards them the modern mind. Again, preachers of their way of thinking would be apt to behave with less common-sense than "obedient fellows" like Mr James Brodie in cases of witchcraft. Even people

like Wodrow were firm about witchcraft, and likely to oppose, as Wodrow's friend, Lord Grange, did oppose, the abolition of the old laws against witchcraft in 1736.

Wodrow, in 1711, tells this anecdote. A minister named Turner, himself Wodrow's authority, was minister of Erskine, in which lived Shaw of Bargarran, his daughter Christian, and a woman named Margaret Lang. Being from home, he went to meditate in a wood, where a presentiment of danger to his family occurred to his mind. Next day he rode home, praying for a child of his, who, as he felt, was dying. The idea presented itself to him, "What if the child be witched? and what if Margaret Lang has witched the child? What if you shall be one person that shall lead Margaret Lang to be burned for a witch?" Arrived at home, he found the child dying, and a year later "he, with Mr Blackwell, led Margaret Lang to the fire," on the charge of bewitching Miss Shaw of Bargarran, a girl of fourteen.

This child, who in later life introduced the thread manufacture into Renfrewshire, suffered in some strange hysterical way, and denounced Margaret Lang, with several other persons. Doubtless she was as honest in so doing as was the Rev. Mr Turner in the case of his infant. There are modern instances enough of persons who, taking it into their heads that they are victims of sorcery, do suffer in the same inexplicable sort as of old, probably by virtue of self-suggestion. The old-fashioned ministers encouraged rather than restrained these delusions: it is certain that the Moderates were of a saner way of thinking. There was a terrible example at Pittenweem in 1704-5. The minister and kirk-session, with the magistrates, addressed the Privy Council to this effect: They have several witches in prison for their conduct to a young blacksmith, Patrick Mortoun, aged sixteen, and very respectable. Beatrix Laing (sorcery was in the name) had asked him to give her some nails. He refused politely: she vowed to be avenged. Next day, passing her door, he saw a bucket with a burning coal placed in water. The motive, he thought, was sympathetic magic to his intention: his life was to wane as the coal was extinguished. He fell into a decline; his body swelled up, before and behind, to the horror of the observers; his limbs became rigid and "could not be bowed or moved by any strength,"—symptoms familiar in such cases. He denounced seven women, including Beatrix Laing.

Four, among them Beatrix, after being kept from sleep by pinch-

ing and pinpricks for many nights, made the orthodox confessions as to their compact with the devil and the rest of it. One of them, Janet Corphar, explained to Lord Primrose, Lord Kellie, and others, that she had been tortured into her confession. The minister ordered her to be placed in a den under the steeple, whence, probably by connivance, she escaped to Leuchars, near St Andrews. The minister of Leuchars, Mr Gordon, apprehended her and sent her back to Pittenweem without notifying the magistrates. It is stated that the rabble asked the Pittenweem preacher, Mr Cowper, "what they should do with her?" He told them "they might do what they pleased with her." What they pleased to do was unworthy of narration. The magistrates, who were assembled, did not interfere. The woman's daughters were not allowed to say farewell to her in her dying agonies. She was left on the street, under a door covered with great stones. "We are persuaded," writes a correspondent in the Dunbar papers, "the Government will examine this affair to the bottom, and lay little stress upon what the magistrates or minister of Pittenweem will say to smoothe over the matter, seeing it is very well known that either of them could have quashed that rabble and prevented that murder, if they had appeared zealous against it. . . . God deliver us from those principles that tend to such practices!"²

The "principles" as regards belief in witches were not likely to be found (perhaps better principles were equally lacking) in the "obedient fellows" preferred by patrons, while popular candidates for pulpits were apt to be of popular principles. Thus there were two sides even to the question of patronage, which was left to time and the evolution of ethics and opinion.

The later history of the Erskinian Secession may be briefly sketched. The first protest within the new Church was made as early as 1737 by five elders, who appear to have disliked the method of examining candidates for access to the celebration of the Holy Communion. The five were backed by "the prevailing party" in the old Church, and by the magistrates of Stirling, who appointed the five, exclusive of the other elders, to watch over the plate at the church door in which alms and oblations were deposited. On February 25, 1739, Mr Erskine put in his protest, and even summoned the five "to appear before the Judgement Seat of Christ."³ He also appealed to such of the congregation as were of his way of thinking,—“such as submit to the laws and ordin-

ances of Christ, . . . to meet and elect church officers." Precedents were found in cases of 1619-1620, but Mr Erskine's biographer thinks that he did somewhat exceed the bounds of strict propriety.⁴ In 1740, Mr Erskine being absolutely deposed by the Assembly, the church doors were locked against him; but he suppressed the zeal of his followers who wished to break them open, and preached in the open air. A church was presently built at the expense of the congregation who followed him.

In June 1741 Mr Erskine was in correspondence with Whitefield, the noted Revivalist, just returned from America. He said that "wandering sheep came with their bleatings" to his new Church, and that the Church had reason to invite Whitefield to Scotland, and help "to build up the fallen tabernacle of David in Britain." He was sorry "to see the Wesleyans so far left to themselves." Mr Whitefield, in reply, professed himself "quite neuter" as to Church government, and inclined to preach, but not to "enter into any particular connection." On August 5, 1741, Mr Whitefield met the Associate Presbytery at Dunfermline. Whitefield (August 8, 1741) complained that "the Associate Presbytery here are so confined that they will not so much as hear me, unless I only will join with them." They went about forming a Presbyterial meeting "to discourse and set me right about the Solemn League and Covenant." Whitefield told them that preaching about this historical document "was not my plan." Mr Erskine made excuses for Whitefield, as an Englishman, but another member said that "England had revolted most with respect to Church government." This was true. Ralph Erskine asked him "to preach only for them till he had further light," the reason given being "that they were the Lord's people,"—a rather exclusive position. Whitefield replied that, if so, the devil's people had more need of being preached to, and that, for his part, with leave granted by the Pope, he would gladly preach in St Peter's. Somebody then preached against the Liturgy, the Surplice, the Rose in the Hat, so that, when it came to inviting poor sinners to the Gospel, "his breath was so gone that he could scarce be heard." How characteristic it all is! "There was an open breach," but Whitefield dined with "these otherwise venerable men" and left.⁵

Ralph Erskine, in an undated memorandum, says that Whitefield wanted to begin a conference on Toleration, but Ebenezer introduced the topic of Paul and Barnabas and their ordination of

Elders in cities. Whitefield answered that he meant to go on preaching "without proceeding to any such work" as ordaining elders, and "had no freedom to leave the Church of England." Erskine says nothing about the Solemn League and Covenant, but Whitefield, writing at the moment, can hardly be wrong about the references to that anachronism. As to Ralph Erskine's "We are the Lord's people," though we may trust Whitefield's memory for the phrase, Ralph, in 1740, said in a congregational address, "We are far from thinking that all are Christ's friends that join with us, and that all are His enemies who do not. No, indeed!"⁶ Whitefield and the brethren had dined together before parting, and might have drowned the ghost of the Solemn League and Covenant in a Red Sea of "clairet wine," then cheap and good in Scotland. But he spoke unkindly of the brethren as "builders of an unsubstantial Babel."⁷

There was much more of Babel and confusion of tongues in his own proceedings. Hand in hand with "the prevailing party in the Church," he went preaching about, was extremely popular, and was useful to the Established Kirk, which shared in his glories. The minister of Cambuslang, in January 1742, began "revival work," as it is technically styled, with daily addresses to mixed multitudes. People fell into convulsions and saw visions in the contagious excitement. Whitefield returned to Scotland in 1742, took an active part in the preaching, and contributed to the results, which were of the usual abnormal kind. These trances and convulsions of crowds had never been usual in Scotland—at least, we do not hear of them in connection with the great field-meetings of the Cameronians; and the strange case of collective hallucination, men seeing swords of various fashions falling from the skies, witnessed and recorded by Patrick Walker, does not seem to have occurred at a religious assembly. The Associate Presbytery were now left out in the cold: they had no part in the Cambuslang work. Their condition was the more gracious, but it may have been injudicious in them to denounce the work formally (July 15, 1742). This looked like jealousy,—an imputation which Ralph Erskine answered by saying that "Mr Whitefield was cast off by the unanimous consent of the brethren of the Presbytery whenever they found his direct opposition to that cause. And this was done at his first coming to Scotland. . . ."⁸ Some brethren, Mr Gib for one, wrote against Whitefield in language which they later regretted.

The awakening of religion as a vital thing, in the heart of a man or of a multitude, must usually be accompanied by some alteration of the normal psychological equilibrium. It has always been thus accompanied, whatever the nature of the religion in each case. The Zulu catechumens of Bishop Callaway, when praying in lonely places, were affected by the same appearances as discomposed St Anthony and other saints of the desert. Each mediæval renewal of religious emotion had its miracles, like the stigmata of St Francis and the levitations of St Colette. Similar phenomena were noted in the early days of Irvingism in the fanatical and excitable west of Scotland. Wales had her share in 1904-1905. The strange performances of the Camisards, the inexplicable feats of the devout at the tomb of the Abbé Paris, are familiarly known; while at the end of the nineteenth century the Red Indian pious, in the Ghost Dance of the Arapahoe, reproduced many of the peculiarities of European exaltation. But in the case of the Arapahoe, the agitating and dominant motive was Hope, the hope of rejoining dead friends beyond the grave. One string on which Whitefield played was Fear. The sympathetic Mr Robe of Kilsyth, a place under the contagion, wrote 'A Faithful Narrative of the Extraordinary Work' (1742), and frankly said, "The bodies of some of the awakened were seized with trembling and fainting; in some of the women there were hysterics, and convulsive motions in others, arising from an apprehension and fear of the wrath of God."⁹

The Suffering Remnant of the anti-Popish, anti-Lutheran, anti-Whitefieldian, anti-Prelatic, anti-Erastian, anti-Sectarian, true Presbyterian Church in Scotland lifted up its voice. Whitefield was "a scandalous idolater, being a member of the idolatrous Church of England. . . . He is a limb of Antichrist, a boar, and a wild beast," and so on. We hear the echoes of that dread horn of Knox, on Cameronian echoes borne. Whitefield suffered the attacks on him unconcernedly. He was strong in the knowledge that he had been brought acquainted with three noblemen and several ladies of quality. A letter from the Marquis of Lothian almost overcame him, and he answered, "My Lord,—I am surprised to find your Lordship so condescending as to write to me. How bright does humility shine in great personages."¹⁰ Whitefield's Scottish ramble closed in November 1742.

The Seceders soon quarrelled among themselves. The Reformed Kirk, as Knox had conceived of it, was indissolubly united with the

reformed State: princes and other magistrates were to preserve its purity, and persecute idolaters,—all this under the direction of the Kirk herself. The Seceders were Covenanters; the State and the king were, and were likely to go on being, uncovenanted. How could a Covenanting Kirk endure an uncovenanted State? Now burgesses took the Burgess Oath, a thing of reformed institution, as may be seen from the Edinburgh form, “I protest before God and your Lordship, that I profess and allow with my heart the true religion which at this present is publicly preached within this realm, and authorised by the laws thereof; I shall abide thereat and defend the same to my life’s end, renouncing the Roman religion called papistry.”

Now the Seceders had often stated publicly that true religion was not publicly preached and authorised in Scotland, much less so, of course, in England, so how could a seceding burgess take the Burgess Oath? thus argued the Rev. Mr Moncrieff. In April 1746 the Synod of the Seceders agreed with Moncrieff that a seceding burgess could not conscientiously take the Burgess Oath. Ebenezer Erskine was of a contrary opinion: he did not want to prevent men from taking the Covenant because they had taken the Burgess Oath, and saw no harm in it. Some other brethren, of course, had already protested against the decision of the Synod, and Mr Erskine adhered to their protest. “Methinks” Seceders “do protest too much,” but apparently business can be carried on in no other way where the vote of a majority is not allowed to decide anything.

The Synod met in Edinburgh on April 7, 1747. About sixty brethren were present. It was proposed to refer the question of debarring burgesses unconvinced of sin, in the oath from the Holy Communion, to the Presbyteries and kirk-sessions. Mr Gib protested against laying the lawful decision before inferior judicatories, though the question perhaps was, Could the Synod lawfully introduce a new ground for excommunication without taking the votes of the Presbyteries? Seeing that opinion ran against him, Mr Moncrieff emitted a protest: the meeting was not lawfully constituted “in this step.” All present who voted, voted against Mr Moncrieff: he and his party, the majority, had debarred themselves from voting at all. Mr Mair then moved that these non-voters *were* the Church, and that the lawful authority of the Associate Synod devolved on them; so we must conclude that the others had lost

the keys of discipline and the other keys. Mr Mair, with twenty-two adherents, then left the place of meeting, and a Fast was appointed, Mr Ebenezer Erskine in the chair. Next day twenty-two of Mr Mair's party voted themselves to be the genuine Associate Synod. In course of time, having the keys of power and discipline, they "handed the Erskines over to Satan," and excommunicated them and their adherents. This was a strong measure, and proves, perhaps, that these people could not have remained in the bosom of any Church where ordinary right reason prevailed.¹¹ There was a place—a distant place—at which the Erskines drew the line; there was a length to which they could not go, and the little revolution "devoured its children" or cursed them.

These grotesque excommunications of members of the new little Church by other members of the new little Church, these great curses about nothing, were part of "what Scotland owes to John Knox." In May 1559 he, with five or six other men—apostate priests and a tailor and a baker—claimed and exercised the apostolic grace of binding on earth what should be bound in heaven. These insane pretensions, while backed by civil penalties enforced by the State, were an intolerable danger to civilised society. The belief in the possession of "the keys" persisted among the Seceders, and we behold them using the keys against each other. They had become a survival, and their successors and historians lament their perseverance in a claim which, as advanced by Knox, was not less unfounded or less grotesque than when it was acted on by the opponents of the Burgess Oath.

Wherever a Secession church had been "planted," the apple of discord was thrown. "Congregations and sessions were rent asunder; . . . the people, distracted by abstruse discussions concerning the Revolution settlement, Articles of Union, and Acts of Parliament, of which they were wholly ignorant, knew not what side to espouse," writes the historian. The schism must, at least, have caused much earnest historical study; and the people of Scotland, till the diffusion of education in the nineteenth century, were much more familiar with their national history than is now usual in any class of society. Mr M'Kerrow adds that lawsuits about kirk property ensued over the whole country, the judges usually deciding in favour of the majority in each divided congregation. "Unholy passions were called into play," but "the Gospel continued to be purely and faithfully preached" by the ministers

of both factions. The Gospel, however, had no effect in calming the "unholy passions."¹²

The members of the Erskine family (the seceding Erskines) were in opposite camps. Mr Ebenezer's favourite daughter, Ailie, had married a minister who took the side opposed to his father-in-law, the Antiburgher side. She asked him, when he returned from a meeting of his party, what his faction had done. "We have excommunicated them," replied this Roman son-in-law. "You have excommunicated my father and my uncle! You are my husband, but never more shall you be minister of mine." The lady, therefore, continued to sit under and imbibed the doctrines of the men whom her husband had handed over to Satan, which the husband took very unconcernedly.¹³ Mr Ralph's son, John, was with the gentlemen who had excommunicated his father, and, "with a harshness which was almost savage, John was appointed to conduct the devotions of the Synod."¹⁴ These were the bitter fruits of the old tree of the Covenant.

The Established Church, while the separatists were conducting themselves in the melancholy manner which we have described, "riveted the galling yoke of Patronage more firmly than ever," says the Seceding historian, and this policy surprises him.¹⁵ But it is not surprising. The chosen of the people, we may presume, was usually much more inclined than the chosen of the patron to the deplorable anachronisms about the Covenant, and to the other scruples which led husband and wife, father and son, into hostile camps among the Seceders. Their unchristian excesses could not recommend themselves to the cool heads of the chief men in the General Assembly. They did not want men like Mr John Erskine in their ranks, even if the keenly argumentative Covenanting flocks did want them.

Thus, in 1755, there was a vacancy at Jedburgh. The elders issued a manifesto that they would "stand and fall together in the election of a minister" with the majority of the parish. The candidature of Mr Boston, junior, minister of Oxnam, was organised, and Mr Boston was a chip of the old anti-Abjuration Boston, minister of Ettrick, who had died before the Secession. The living was a Crown living, and the Crown presented a Mr Douglas. The parish resisted, the Presbytery refused to induct Mr Douglas, and Mr Boston, remarking that "several things in the National Church have all along been disagreeable to me," left it and threw

in his lot with what he called "the oppressed heritage of God," while those of his way of thinking were "a small and inconsiderable handful." He therefore adhered to "the ministry which I have received of the Lord Jesus," but shook off his feet the dust of the National Church. He occupied a chapel at Jedburgh, and with two friends in 1761 formed himself and them into quite a fresh Presbytery,—not Burgher, not Antiburgher, not that of the Rev. John Erskine, nor that of the Rev. Ralph and Ebenezer Erskine, but "the Presbytery of the Relief."

Meanwhile "gross and dangerous errors" on doctrinal points broke out in pulpits of the elder Secession, and one sinner, Mr Carmichael, came under the lesser excommunication, and was threatened with the higher excommunication. A Mr Pirie, also censured, passionately appealed "from the procedure of the Synod to the Court of Heaven," for few seem to have understood that, if you belong to an association, you must adhere to its rules. He conceived "a distaste at the Secession"; but he does not seem to have constituted himself, and two or three friends, into a Presbytery. The Synod cautioned its ministers "against an affected pedantry of style and pronunciation, and politeness of expression, in delivering the truths of the Gospel," and "against using technical, philosophical, and learned terms that are not commonly understood." Perhaps young ministers were adopting, or trying to adopt, the English accent, just as David Hume was endeavouring to avoid Scotticisms in his books. The results may have been very odd. We are reminded of Ninian Winzet's complaint against the English of John Knox and his forsaking of his mother tongue. The new English literature from Scottish pens—as of Hume and Dr Robertson the historian—had begun to exist, and the Seceders were opposed to this kind of *belles lettres*.¹⁶ Had the whole Kirk accepted preachers chosen of the people, the revival of literature would have been severely checked, though we are not to put literature in the balance with the Covenant and Calvinistic doctrine.

We now turn to a fresh schism, in which one of the leaders was a distinguished man of letters. In later years Dr M'Crie, the learned author of the 'Life of Knox' and other works, was an Antiburgher minister, and, in his youth, sentiment about national covenanting was changing among the Antiburghers. They thought of "extending the Testimony" and of bringing it up to date, "down to present times." "The obligation of the Covenants, so far as

they were national and civil in their object, was not only unacknowledged, but by necessary consequence denied and impugned."

Such was the New Testimony of the Antiburghers in 1804. The New Testimony did not vindicate "the giving to religious principles the formal sanction of civil authority." Six ministers disliked the New Testimony, among them Dr M'Crie. He had "no New Light sentiment,"—at least his son and biographer could find no traces of "decidedly New Light sentiment" in his papers. The New Testimony became "a term of communion" in May 1804; but Dr M'Crie, with his friends, protested. In 1806 there were only four protesters, and on August 28, 1806, they constituted themselves into another new Presbytery. "The alarming intelligence" reached the Antiburgher Synod, who, "filled with indignation," promptly excommunicated Dr M'Crie, as the Archbishop in the 'Mort Arthur' "did the curse, in the best manner, and the most orguilous," or, perhaps, in the worst manner, "without the formalities of a legal process." In the formal document nothing is said about handing the historian over to Satan. His congregation was about equally divided, and there were legal struggles for the chapel. A civil court decided the question, and Dr M'Crie emitted a protest. The court, however, did not come to a final decision till 1809. A compromise was reached, but Dr M'Crie had to leave the chapel. Dr M'Crie, then, represents the Old Lights, as against the Antiburgher Synod, who were New Lights.¹⁷

It is interesting to note that an appreciation of mere secular learning and polite literature, greatly discouraged and almost destroyed in Scotland by the Reformation and the succeeding century of war and revolution, was fostered within the bosom of the Established Church from the middle of the eighteenth century onwards, and had crept even into the Old Light community by the time of Dr M'Crie. He was, as it were, the Wodrow of the Secession, a keen antiquarian and a most scholarly investigator of the manuscript sources of history. He even condescended to review novels—at least to review, in the spirit of historical research, Scott's 'Old Mortality.' The critique would make a fairly large volume in itself. It is well to remember that Scott had professedly written, not a history, but a romance. Sir Walter replied, anonymously, with great good-humour; and Dr M'Crie "himself used to mention, to the credit of Sir Walter, that he met him after

'the attack' with as much frankness and cordiality as before." It was not in Scott's nature to behave otherwise.¹⁸

It is pleasant to meet a good-humoured layman after this long study of clerical excommunications. The historian of Knox and his Reformation, Dr M'Crie, regarded the 'History of Scotland' by Dr Robertson, a leader of the Established Church in the days which followed the Secession, as "the most beautiful piece of history he ever read." Yet the book is an example of that new "polite" style in Scottish literature which the Antiburghers discouraged—at least, in sermons. Dr Robertson did not regard the Reformation and Knox with the affectionate eyes of Dr M'Crie; indeed he is accused of hinting that the Reformation might conceivably be regarded "as the effect of some wild and enthusiastic frenzy in the human mind." That would be a very one-sided and unhistorical view of the case, though wild frenzy too much abounded in 1559-1650. By a curious change in taste, the opinions of Robertson, and of his learned successor and namesake in the nineteenth century, Dr Joseph Robertson, have given place to a kind of Carlylean sentiment as regards the Reformation and Knox, so that to investigate closely the historical documents of the period, and the characters of the actors, is censured as unfeeling, unpatriotic, and almost impious. It is odd that this uninstructed reversion to mere sentiment should be accompanied by a disregard of the old "standards" and dogmas, which would have alarmed and irritated no man so much as Knox himself. Perhaps, in the course of ages, ignorant sentiment may give place to a regard for historical truth.

NOTES TO CHAPTER XIII.

¹ Dunbar, *Social Life in Former Days*, i. 240-257.

² Dunbar, *Social Life in Former Days*, i. 261-273.

³ Fraser, *Ebenezer Erskine*, p. 410.

⁴ Fraser, *Ebenezer Erskine*, p. 413.

⁵ Fraser, *Ralph Erskine*, pp. 329-331.

⁶ *Ralph Erskine*, p. 343.

⁷ *Ebenezer Erskine*, p. 429.

⁸ *Faith No Fancy*, p. 351.

- ⁹ Tyreman's Whitefield, ii. 7, note 3.
¹⁰ Tyreman's Whitefield, i. 515.
¹¹ M'Kerrow, pp. 208-238.
¹² M'Kerrow, pp. 237, 238.
¹³ MacEwen, The Erskines, p. 132.
¹⁴ MacEwen, The Erskines, p. 133.
¹⁵ M'Kerrow, pp. 278, 279.
¹⁶ M'Kerrow, pp. 280-292.
¹⁷ Life of Thomas M'Crie, D.D., by his son, the Rev. Thomas M'Crie, 1840, pp. 40-145.
¹⁸ Life of Thomas M'Crie, D.D., by his son, the Rev. Thomas M'Crie, 1840, pp. 225, 226.

CHAPTER XIV.

THE JACOBITE CHURCHMEN AND STATESMEN.

1704-1735.

IN religious matters the clergy of the suffering Church Episcopal in Scotland were not much more harmonious and peaceful than their wrangling Presbyterian brethren. The last Primate, Archbishop Ross of St Andrews, died in June 1704, and with him passed away the Primacy and the Metropolitan jurisdiction. The remaining bishops and clergy did not attempt to promote a new Primate: it might have been unsafe, and they had a singular respect for their king, though an exile, a Catholic, and a boy of sixteen. Since Father Innes regarded a promise on James's part to protect the Church of England as "sinful," he probably would not have approved of James if he appointed a Primate over the Episcopal Church of Scotland. These illogical loyalists, the Jacobite clergy, had now a very scant supply of bishops to carry on the Episcopal succession, and deemed it the best plan to consecrate bishops without dioceses. The Episcopal order would be kept up, yet the king's privilege of nominating to vacant sees would remain intact. Sage and Fullarton were consecrated in this irregular fashion: the former had been recommended for the Chair of Divinity in St Mary's College, St Andrews, in 1688, but the Revolution came, and in 1696 Sage was obliged to skulk "in the hills of Angus." At the consecration, Bishop Ross of St Andrews takes the title of "vicar general."

After 1716 Rose was the only survivor of the pre-Revolutionary diocesan bishops, and acted practically, though not in name, as Primate. In 1709 the bishops were recruited by the consecration of Falconer and Christie, the proceedings, as before, being

as secret as possible. Sage died in 1711, and Archibald Campbell was consecrated. He was the son of Lord Neil Campbell, and was nephew and companion-in-arms of the Earl of Argyll, executed for rebellion in 1685. His life was spared; he became a Jacobite, was ordained in London, and, after becoming a bishop of the Scottish Church, he remained in England. In London, too, was consecrated (1712) James Gadderar, by the non-juring Hickes, at one time chaplain to the Lauderdale of the Restoration, and Bishops Falconer and Campbell. Bishop Rose and the other Scottish bishops approved, and the step tended to merge the Scottish with the non-juring English ecclesiastics. The use of the Prayer-Book, all but extinct among the Episcopalians of the Restoration, was now revived, though it seems to have been disliked by the Lowland Episcopalians of the poorer class. In Aberdeen it was brought into the College Chapel, which Government closed. The book employed was the English Liturgy, not that which Laud vainly attempted to thrust on the Kirk; but Laud's book even now continues to trouble the Scottish Episcopalians. The Liturgy was licensed by the Toleration Act of Queen Anne in cases where the Episcopal ministers took the oaths of Abjuration and Allegiance; but these men were in the minority, especially after the death of Queen Anne, who, at least, was a Stuart. In the Rising of 1715 the Episcopal clergy were notoriously, those of Aberdeenshire were publicly, on the side of James.

In May 1716 King George bade the Scottish judges shut up Episcopal chapels in which he was not prayed for; and the peccant clergy were summoned and commanded to register their letters of Orders. Those who complied continued to officiate. In Aberdeenshire several were deposed by their Presbyteries, and their churches were held against them by armed force.¹ In 1719, while the Abjuration Oath was being softened for Presbyterian acceptance, as we have seen, it was enacted that no Episcopal clergyman should officiate before nine or more persons in addition to those of his own household, unless he took the Abjuration Oath and expressly prayed for King George. The penalty was imprisonment for six months and the shutting up of his chapel. The Act appears not to have been strenuously enforced. The acting Primate, Bishop Rose, one of James's agents, died in March 1720, and was buried in that old church where lie the Logans of Restalrig,—a church that the first General Assembly had doomed to destruction as a "monu-

ment of idolatry." Rose had kept peace in his day among his brethren, but now there was no surviving diocesan bishop. No bishop had any acknowledged jurisdiction.

Meanwhile the singular Erastianism of the Jacobites, represented by Trustees, a body of men suggested by Lockhart of Carnwath and accepted by James, came into play. Without consulting the king, but confident of his approval, the clergy selected Fullarton to fill the place of Rose, and the bishops were constituted an Episcopal College. Lockhart, writing on April 25, 1720, laid the facts before James for his sanction. He explained that Mr Archibald Campbell had none of the qualifications needed in a bishop, and by no means all of those desirable in a gentleman; that his consecration had been most imprudent; and that he was now in Edinburgh forming a party and urging "unseasonable doctrines." James should therefore support Fullarton, for whom an income of £100 a-year had been subscribed.² The king, in a letter of grateful courtesy to the bishops (July 2, 1720), approved of their promotion of Fullarton, though circumstances "had not permitted certain forms to be observed," but suggested that, in future, the names of proposed bishops ought to be submitted to himself. "We shall, you may be assured, have all possible regard for your opinion in such cases."³ There was, however, one candidate whom the king named, Freebairn, who was not very acceptable to the suffering Church. Lockhart remonstrated; Freebairn "was not under any bad character," but his learning and good sense were deemed inadequate by the clergy and laity. Lockhart hoped that in future the king would consult the bishops before making any nomination.⁴

Here we have, practically, the question which rent the Kirk—the question of the patron, the presbytery, and the people. Freebairn's son was then at Rome, and persuaded James that the bishops objected to his exercise of patronage, "which the king took very ill." His shred of prerogative seemed to be at stake among his most devoted subjects. The bishops caused Lockhart to explain, showing that there was no need of hurry, and that they had consulted the king's Trustees, Hamilton, Wigtoun, Kincardine, Balmerino, Dun, Maul, and Paterson, who all agreed that haste was prejudicial (March 27, 1722).⁵ James replied that two of the three bishops nominated by him had been proposed to him "by friends in your party." The bishops, therefore, consecrated Freebairn, with the Rev. Andrew Cant, whose name is singularly unprelatic.

Bishop Falconer made some objections, being "afraid of the rights of the Church"; but Lockhart soothed him with the letter in which the king had expressed his intention not in future to name any candidate without previously consulting the bishops. The plot of Layer and Atterbury at this date (1722) made communication between James and his faithful ones difficult and dangerous.⁶

Meanwhile the suffering Church was troubled by "Ritualism," a malady most incident to Protestant communions. The English non-jurors, as Lockhart remarks to James (December 7, 1722), had long been at war among themselves "concerning some alterations that some of the number desired in the Liturgy and forms of worship." Both Archibald Campbell and Gadderar, the Scots bishops consecrated in England, were advanced ritualists, as were the Aberdeenshire Episcopal clergy, who had made Campbell their Ordinary. The other bishops resisted this harmonious call: Gadderar acted, for a while, as a kind of suffragan to Campbell, and, in 1725, to Gadderar did Campbell resign, with an irregular reservation in his own favour.⁷ All bishops, save Falconer, Gadderar, and Campbell, were opposed to the ritual, the "Usages," which the northern brethren desired to introduce, but, says Lockhart, "the clergy, of all mankind, are most zealous to propagate and advance their own schemes."⁸ Long ago Calvin had deemed the schism in the Church of English exiles at Frankfort *valde absurdum*, considering their rueful circumstances. But, from the case of the Seceders, it really seems as if the clergy make war most fiercely on each other in proportion as their numbers are small and their circumstances exiguous.

Lockhart does not even take the trouble to tell James what particular "usages" his heretical subjects were quarrelling about. They were nearly as important as a point of ritual which excited some of the Seceders, and led to the celebrated Smytonite controversy. The Rev. David Smyton of Kilmaurs, of the Antiburgher branch of the Secession Church, "lifted" the sacred elements *before* the consecration prayer. Others did not "lift" them till *after* the consecration prayer. The Synod, being appealed to, exercised unprecedented common-sense, and urged "mutual forbearance" (1782). On May 21, before the session of Kilmaurs, Mr Smyton emitted a protest against "boundless toleration." In September Mr Gib also emitted a protest on the other side. Mr Smyton finally "renounced the authority of the Synod," and the Synod

did its best to persuade the laity that there ought to be such a thing as "a forbearing of one another in love" in disputable matters of no importance.⁹

But a forbearing of one another in love has always been an unpalatable doctrine, and has seemed infinitely less essential to the Christian life than matters like the Usages, the Mixing of Water with the Wine, the Commemoration of the Faithful Departed, the use of the Chrism both in Baptism and Consecration, and similar matters, which now convulsed the Episcopal clergy and congregations. The Usages may have had some support in Laud's amateur Prayer-Book of 1637, but were more confirmed by the example of the advanced ritualistic party among the English Non-jurors led by Collier. Bishop Rose had to them recommended forbearance, but the spirit of Archbishop Leighton is never a practical spirit: men, being reasonable, must and will find a quarrel in a straw. Bishop Falconer found the Usages "apostolical" and "primitive" and "desirable."¹⁰ Lockhart told James that the bishops who, against the majority, favoured the Usages were schismatic, and were injuring the Cause. He attended a meeting of the College of Bishops, who ran at him with the Fathers, just as Whitefield was confronted with the Solemn League and Covenant. Lockhart said that "it was none of his province to judge of such points,"—that he came there to enjoin unity and harmony in the name of the king. "What reck these brawlers of the name of king?" However, they were quieted for the moment, Lockhart trying to convince them that one or two bishops ought to go with the decision of the College of Bishops. But holy men, as we have seen in so many instances, do not yield to majorities in the Church: theirs is another warrant (December 7, 1722).

Bishop Gadderar went on with the Usages as he pleased in Aberdeenshire; chrisms were more to him than the Rightful Cause, or the king, or the College of Bishops. They were delaying to suspend Gadderar, and hoped that a letter from James might do good: the situation was delicate. Presbyterians might urge that the Episcopalians were rushing to Rome by way of the Usages, and it was not easy for James to forbid them to approach his own Church, not to mention the flagrant "Erastianism" of such a command. Presbyterians would say, "You are only not Papists because you are Erastians," and, again, the Pope might take it ill. As Gadderar's claim to the Bishopric of

Aberdeen was of the least regular, the College of Bishops thought of citing him, and, as he would decline to appear, of suspending him.¹¹ Falconer, in a cryptic way, supported Gadderar. The king answered the request for his intervention in the only possible way. He advised forbearance in love (August 20, 1723). But where was the use of that, asked Lockhart, "seeing both the contending parties pretended they were in the right, and did desire to promote peace and unity, provided their opponents would knock under?"¹² Lockhart had purposely omitted the nature of the details in ritual, lest James should sympathise with the Gadderarenes, which it is not probable that he would have done. On March 18, 1724, James accepted the list of four new bishops sent to him by the College of Bishops, adjuring them to delay the consecration as long as they pleased, "as I am most tender of anything that might in the least disturb your peace, or give our adversaries any handle to exercise new cruelty towards you."¹³

On July 4, 1724, a compromise was made. Gadderar consented not to "mix publicly," and not to refuse the unmixed cup. Laud's Liturgy was permitted by the Primus, and Gadderar promised to introduce no more unaccustomed ancient usages. Gadderar was authorised to act Episcopally as long as he did not claim to do so on Campbell's authority, and the other bishops were not to be understood as approving of "the Mixture." It is to be feared that these men were less earnest than the Seceders, since a noble opportunity for protests and excommunications and schisms was neglected by them. The trouble about patronage, however, remained alive, and the clergy, with many of the gentry of Angus, a shire always Episcopal and Jacobite, opposed the appointment of Dr Norrie as their bishop, preferring Dr Rattray. With Panmure, a leading Jacobite, espousing the cause of Rattray, while Strathmore and Gray were for Norrie, the split among the Jacobites was as manifest as in any rural parish of the Kirk. Rattray of Craighall was a man of family and property, but was strong for Gadderar and his ritual, and was regarded, therefore, by the bishops in general as dangerous to the peace of the Church and of the Cause.

After Gadderar's compromise with the bishops about "mixing," Lockhart had been sanguine enough to hope that the bishops "would have lived like brethren not only of the Church, but of affliction."¹⁴ But when Bishop Fullarton took the side of what

we may style the party of the popular "call" and the right of the majority of Presbyters in Angus, the fire broke out again. Lockhart was present at the discussion with the College of Bishops as to the claims of the ritualistic Rattray and the anti-ritualistic Norrie, and asked "in whom they thought the power of electing a bishop was lodged?" This was a terrible question to throw into a clerical assembly. Lockhart, of course, cared only for the unity of the Cause, but Panmure blazed up and talked about the Primitive Church. The Dean and Chapter, he said, had the right to elect, but, in the absence of Deans and Chapters, they must look to the example of the Primitive Church, which required the concurrence of the majority of the clergy and the approbation of the people. Gadderar, Fullarton, and Rattray argued on the same side. Lockhart said that this plan was an excellent plan; that he revered the ancient Fathers, but did not think them infallible; and that the daily example of discords caused by popular calls among the Presbyterians ought to be a warning.

By law the king could nominate the bishop by a *congé d'élire* to the Chapter, "who, again, were obliged to elect the very person the king named." In this case the objections to Norrie were frivolous. Norrie ought to be appointed, and there an end to it; and the bishops, except the recalcitrant three, agreed. Here Lockhart committed James against the "Usages," which, as he thought, had a look of Popery, and afforded a handle to the Presbyterians. Norrie was appointed, though Fullarton, as Primus, refused to sign; while "the Presbyterians laughed and rejoiced at these divisions," which were no longer their own exclusive property.¹⁵ Lockhart, therefore, by request of the Trustees of James, wrote to him (December 8, 1724), saying that "the utmost height of party rage" had been attained. The Trustees asked James to write to the College of Bishops to settle no prelate in a diocese till the name had been submitted to himself, with a report on the sentiments of the district. James was mainly occupied, as we shall see later, with appointing Hay as his secretary, and was obliged to announce that he could no longer trust Mar, whose honesty lay under suspicion, nor any who dealt with him. Whether these steps were justified or not we shall later try to discover; but they rent the party politically, no less than the usages, and the question of patronage divided it ecclesiastically.¹⁶

Two of James's Trustees, Lord Dun and Sir John Erskine, sided with Mar as a kinsman, and the task of Lockhart was difficult or

impossible, Mar persuading his friends that he was the victim of false charges by the exiled Atterbury. On March 21, 1725, James wrote to the bishops in the terms suggested by his Trustees,¹⁷ and the question was to provide a successor to Fullarton, now old and infirm, as Bishop of Edinburgh and Primate. Rattray was proposed on one hand, Gillan, a friend of Lockhart, on the other,¹⁸ as successor to Bishop Irvine (December 1725). Lockhart asked James to appoint Gillan to be a bishop, with the assent of the Trustees and several of the bishops, and, personally, thought Gillan the best man for the Primacy, as the bishops were either "hot-headed" or old and infirm. Ecclesiastical strife in Angus was being quieted by Strathmore (April 30, 1726). James, by this advice, wrote to the bishops (May 1, 1726), advising that Duncan or Cant should reside in Edinburgh to do Fullarton's duty.¹⁹ He desired them to consecrate Gillan, and reiterated that they should appoint no bishop to a district without consulting him through his Trustees (July 20, 1726).²⁰

Hence came trouble. The suffering Church was divided into the party of Ritualists and friends of popular election of bishops (right of Presbyters with consent of the populace to elect their bishops) on one hand; and of anti-Ritualists, adhering to the king's legal right to send a *congé d'élire*, on the other hand. The lay Trustees of James sided with the latter party. Mar's faction were with the Ritualists,—his kinsfolk and others who could not believe that he had sold Atterbury to the English Government in 1722, and who merely wanted to disturb all James's measures, while Hay, now Jacobite Earl of Inverness, held, as secretary, the post in which Mar had so much distinguished himself. The College of Bishops was mainly anti-ritualistic, and Bishop Miller desired them to imitate the Presbyterian method of censures against Gadderar and Rattray. This Miller, a violent person, wished to succeed Fullarton, and therefore, when Gillan was spoken of as Fullarton's successor, he suddenly felt pricked in conscience as one who, by accepting royal patronage, had betrayed the rights of the Church. For more reputable reasons Bishop Robert Keith was opposed, and helped to organise an agitation against Gillan. A Remonstrance was written on the good old lines of ancient injuries to the power and rights of the Church. Now was the time to regain them, now that King James's "back was at the wa"! They also accused James of breaking promise when he nominated

Gillan (as a bishop not to a district), which he had done by the advice of his lay Trustees. Bishop Duncan severely rebuked the authors of this chivalrous Remonstrance when they showed it to him. If they presented it to the College, he said that he would throw it into the fire, "that it might not in after times appear in judgement against them." The "*furiosi*" indignantly asked, How would James behave if on the throne, when, as an exile, he had sent a *congé d'élire* for Gillan, which Lockhart was to present? Lockhart declares that a Mr Middleton and "his gang," of the Ritualistic party, betrayed to the British Government his channel of correspondence with James. If so, we may admire the frenzy of religious passion.

Lockhart remonstrated with Keith. The conduct of himself and his party was as ungenerous as treasonable. "None would dare own their measures, were the king on the throne. They injured the king much in saying that he had broke his promise, or that Gillan was only recommended by me." He assured Keith that James had no design of making Gillan Bishop of Edinburgh, "except with the previous advice and approbation of the College and presbyters of that diocese." To a proposal by Keith that the whole affair should be referred to Lord Erskine (a Marite) and Mr James Graham, Lockhart indignantly replied that the king had not fallen so low as to strike a bargain "with a parcel of little factious priests in the diocese of Edinburgh, *who, as they were serving the Covenanted cause*, should change their black gowns into brown cloaks, and I did not doubt they'd be received into the godly party, unless ecclesiastic had the same fate with State traitors, in being despised by those they served."²¹ Lockhart was very well able to find expression for his sentiments. Gillan's consecration was put off lest the Episcopalian friends of spiritual independence should accuse the College of Bishops to the Government. But two other bishops were secretly consecrated, while the "holy tribe," as Lockhart calls them, displayed passionate extremities of rage.

The old storm of Church and State has seldom vexed a smaller area. The instant result was that Lockhart's mode of communicating with James was discovered, and, in February 1727, letters to him from Rome were seized at Leith. In May the Episcopal clergy of Edinburgh elected the worthy Miller as their diocesan, being backed by Gadderar and the Ritualistic party. Corsar, a

Jacobite agent, was arrested, apparently by Islay's orders, that Lockhart might be warned of his own peril,—so Islay himself informed Lockhart. On Friday, March 17, 1727, Lockhart, having arranged for a ship to meet him on the English north-east coast, left Carnwath in disguise, stayed at Stobo on Tweed, wandered by moorland paths across the Border, reached an honest gentleman's house near Durham, and, setting sail on April 8, arrived at Dort on April 15. Meanwhile a party of the diocese of Edinburgh owned Miller, another faction stood by Freebairn, and both parties in the Church took to consecrating bishops. Miller died in a few months; but the feud survived him, rending the Church Episcopal and Jacobite even as the Church Presbyterian was rent, and yet more bitterly, for the Usages caused far more bitterness than the Smytonite controversy.

Here we may leave the ecclesiastical distresses of the Jacobite party and investigate its secular fortunes, and those of Scotland, after 1720. The machinations of the Jacobites in 1722 were directed towards England, not Scotland, and affected Scotland only in one respect. The conduct of Mar in 1722 caused him to be suspected of the basest villainy: the suspicion, for long scorned by James, made Mar impossible as his Minister so far as the English Jacobites were concerned, and finally compelled the king to appoint new Ministers, Murray and Hay (Jacobite Earls of Dunbar and Inverness). The whole influence of Mar, and of those who believed in his innocence, was directed, or at least was believed to be directed, to the discrediting and ruining of Murray and Hay. The queen, Clementina, was of Mar's party, and conceived, for various feminine reasons which she would never state definitely, a violent hatred of Lord and Lady Inverness. She was backed by the Roman clergy, for the detested Ministers were Protestants; her conduct and her wrongs were buzzed abroad through Europe, and as she was a pretty and charming though apparently hysterical woman, even in Scotland the party sided with her against her husband. Thus from 1722 onwards the Jacobites in England and Scotland were broken, soured, irritable, and helpless.

In Paris, early in 1720, Stair had quarrelled with Law of Lauriston, when in his glory as promoter of the Mississippi scheme. Law, as Craggs wrote to Stair (April 14, 1720), was "in possession of all the money in France," and could put great pressure on England.²² By May Stair's recall was decided: he was to be suc-

ceeded by Sir Robert Sutton as ambassador to France. It was, therefore, now with Sutton, not Stair, that Mar had to do. He continued to reside near Paris, and protested to Sutton that he was not concerned in Jacobite politics (July 28, 1720).²³ "I know my duty better than not rigorously to observe the engagements I gave upon my being allowed to come into France. Sutton, on July 31, told Craggs that he did not believe in Mar's assurances, and asked how he was to behave to the Earl (Jacobite "Duke"). On October 30, 1720, Sutton writes to Craggs: "I am very certainly assured that Mar complains that the promises which he pretends to have been made him relating to a pension (which I suppose to be the allowance granted by his Majesty to his Lady) are not performed, and declares that in such case he shall look upon himself as disengaged from the parole he has given. I have no orders concerning him." These complaints and threats by Mar are later mentioned.

By February 3, 1721, Mar seems to have succeeded in getting the British Government to allow him his much-desired pension. On that date he wrote to James in Rome, announcing his acceptance of the English offers. He received £3500 a-year, and he states the conditions as merely his ceasing to occupy himself with James's affairs: he had long pleaded fatigue, bad health, and the necessity of seeking a more northern climate than that of Rome.²⁴ James's reply, writes Dr Glover, the editor of Atterbury's part in the Stuart MSS., "is indeed remarkable as exhibiting the kindness of James's disposition, and perhaps more so for the blind confidence he still reposed in Mar, whom he assures at the conclusion that "nothing can alter my sentiments towards you, and that my confidence in your doing your best on all occasions to serve me is entire."²⁵

James, in fact, was attached to Mar, and saw in him a man who had lost all for the Cause. He rejoiced in his recovering his fortune, as he rejoiced when Sir James Erskine left his service, receiving a pardon, and returning to Scotland and to his silver mine. It did not occur to James that, in return for £3500 a-year, the English Government expected from Mar distinguished services, as they announced in 1719, when Mar went to Geneva, that they did. The confidence may have been blind, but it was the blindness of a generous nature which thought no evil. Meanwhile Murray, who since Mar left James had been doing his duty, left him in 1721, and went to France, where he had a bitter quarrel

with Campbell of Glendaruel. Campbell, "a great friend and creature of Mar," got up an address from the Clans to James against Murray, who was accused of superseding Mar, which was the cause of Murray's dismissal from James's Court (Crawford to Carteret, January 21, 1722).²⁶ As Mar, on receipt of his pension, was bound to cease to work for James, Mar's jealousy of Murray is not very intelligible. The hatred, however, lasted, and broke up the Jacobite party.

Meanwhile, the extraordinary thing is that Mar remains in Paris, and, in 1722, takes an active part in Jacobite affairs; while one of his letters sent by the common post, contrary to express and distinct orders, is the source from which the guilt of conspiracy was fixed on Bishop Atterbury. It is true that in the Report of the Lord's Committee on Atterbury's case the pension is said to have been stopped. But, even if it were, that did not divert suspicion from Mar. People argued, "He has arranged to have his letter, fixing guilt on Atterbury, intercepted, just that he may win back his pension." Even so, and despite the outcries of Atterbury and the English Jacobites, two years passed before James, without any *fracas*, quietly dropped Mar. Then broke out all the evil passions of the party, carrying with them Queen Clementina.

The year 1722 saw a long train of gunpowder explode, without harming any one except the Jacobites who laid it. They had a little squadron of three vessels, commanded by Nicholas Wogan, Morgan, and Galway, with another Wogan. These ships, one of which was to have conveyed Charles XII. to Scotland, while another was to have conveyed Ormonde in 1719, cruised about the Mediterranean, "seeking for a mischief" in the Scots phrase. In June 1721 Morgan wrote to Nicholas Wogan that a mischief had been found: Sir Harry Goring, a rich baronet of Sussex, and Dillon in Paris, had a piece of business in hand. It was an original scheme for using a reputable set of smugglers named "The Waltham Blacks." Atterbury had recommended Goring; and Atterbury's secretary, the Rev. George Kelly, a non-juring clergyman, six feet high, with bright blue eyes, was deep in all these schemes of "the young merchants," as Atterbury calls the Wogans, Morgan, and Christopher Layer, a desperately adventurous barrister. This Mr Layer visited James secretly, at Rome, by a private door and back-stair. He brought a list of loyal Norfolk gentlemen, was introduced to Queen Clementina, and obtained the royal pair as sponsors to

his child in baptism. Lord North, a distinguished British General in Marlborough's wars, with the Duchess of Ormonde, acted as proxy sponsors, and Layer, pursuing his nursery intrigues, knitted a cabal with Mrs Hughes, the Welsh nurse of poor little Prince Charles Edward. Layer became acquainted with Lord Orrery and Lord North, two, with Atterbury and Arran, of James's English Trustees. Atterbury distrusted and tried to shake off "the young merchants," but, great and small, they were all in the network of the shifting and kaleidoscopic Jacobite plot, mainly directed by Parson Kelly, for the Bishop was in the worst of health. The Goring smugglers were a "hellish crew," wrote honest Captain Morgan. Ormonde and Dillon were prevented from bringing a considerable mixed invading force, and, early in 1722, the plan was for Ormonde to cause King George's troops to be false to their salt, and thus to do the business with no foreign assistance. Prince Charles, aged two, was to head the Scots!

The plot was revealed, probably by the Abbé Dubois, and news was sent from Paris on April 29, 1722. On May 19 Mr Kelly was arrested in his rooms in London. For some reason, a Colonel in King George's Guards was with him, but took no part in the affair. Mr Kelly drew his sword, kept the point facing the messengers, who dared not pass the door, and, with his left hand, burned all his papers in the flame of a candle. One man tried to enter. Kelly lunged at him, and the messenger, as he said, "parried the thrust with the door." But what caused the arrest of Kelly, soon followed by that of Layer, in whose possession was found a sketch for a plot to seize the Tower, the Bank, and the king, and raise the mob? The plot was egregiously absurd, and hinged on the collection of 200 men who should enter the Tower as if relieving guard, and take possession of it. But Lord North's name was implicated, as General, in this crazy design, and a force was camped on Hyde Park to repress an insurrection represented by Layer and by a beery ex-sergeant, Matthew Plunket, whom Layer "encouraged" by occasional gifts of half-a-crown or five shillings.

The arrest of Kelly and of Atterbury was led up to in the following way: the affair is very ramified, and requires close attention. On January 3, 1722, James replied to a memorial received from England. After "unanimous and mature deliberation," his English friends saw the necessity of procuring a sum of money, which, with what he himself could supply, James deemed adequate. He would,

in answer to their request, send commissions for North, Lansdowne, Strafford, Arran, brother of Ormonde, and blanks for Colonels, and he wrote to Ormonde, Lansdowne, Dillon, and Mar, who thus must have been intriguing for him in 1721, the year in which he obtained his pension from King George.²⁷ By March 16, 1722, Mar wrote to James saying that the English Jacobites were unsatisfactory in their replies, and, as to money, did not even promise any. The Five Trustees (in Lockhart's phrase) in England were quarrelling among themselves. Atterbury would, Mar was sure, object to Dr Freind's part in managing the scheme (March 23). But the circumstances might unite Atterbury and Oxford, who, in Mar's opinion, ought to be at the head of the party in England. As if they had not enough of Oxford in 1714! The "young merchants," the Wogans and the rest, were of undoubted folly, and Atterbury and Oxford were to manage all.

Atterbury, on April 20 (O.S.), wrote to James, Mar, and Dillon, and certainly the letters to Mar and Dillon reached their destinations, and Mar replied to Atterbury.²⁸ Atterbury had said that it was imperatively necessary to send no letters through the post, especially since the death of Lord Sunderland. This was in the letter to Dillon, with whom Mar was working. To Mar, Atterbury signed himself "T. Illington," to Dillon he signed "T. Jones." Before Atterbury's letters of April 20, O.S., reached their destinations, they had been intercepted and copied for the English Government. They were in cypher, and they were decyphered. Now Dr Glover, editor of the correspondence, argues that either the decyphers of the English Government were "extremely clever," or that the cypher was betrayed—by Mar. He holds to the second opinion, for there are a few variations in the decyphering from the rendering which the key to the cypher would have given, "and these variations are, seemingly, employed with no other view than to keep up the delusion of their having been decyphered without any extraneous assistance." The errors are mere "blinds," and nobody who was clever enough to decypher the rest without a blunder could have been puzzled in the few cases where, for example, "openly" is rendered "out of hand," or an easy word is left a blank.²⁹

As to the decyphering, the Lords of the Committee of investigation examined the decyphers, who maintained that their work was honest and unassisted, and that they had previously decyphered

letters in a manner proved correct when the Government, later, procured a copy of the Jacobite key. They explained the method of George Kelly's cypher, which was of a naked simplicity. "The further the initial letter of any word is removed from the letter A, the higher the number is: thus "Xerxes" would begin "24." They had decyphered the papers when far remote from each other, and their interpretations had been identical,—even when they harmoniously failed in the same simple cases,—so it appears.³⁰ However the letters were decyphered (and there appears to be no valid evidence that the key was betrayed), the letters were not sufficient to convict Atterbury of being T. Illington or T. Jones. They were not written in his hand. But on May 11/22 Mar, signing "Io. Motfield," wrote to Atterbury. He began by acknowledging Atterbury's letter of April 20, O.S. He condoled with him on the loss of his wife (which Atterbury had not mentioned: Mar heard of it from George Kelly), he regretted Atterbury's own "distemper."

These facts proved that T. Illington was a gentleman in bad health, who had just lost his wife. Atterbury, after the facts came out at his trial (for of course Mar's letter to him had been intercepted), interpreted Mar's conduct thus: Mar, in 1724, put into Atterbury's hands a number of letters. Among them, Atterbury declares, were letters to Mar from Carteret. Thence it appeared that "when Mr Churchill was here" (in Paris), "May 1722, to urge him to discover what he knew of the plot on the account of '*the favours conferred on him by King George for some time past*'" (those are the words of the letters written to him by Lord Carteret in his own name, and those of Lord Townshend and Mr Walpole), it appears, I say, from the very letters he imparted to me, that he had several private meetings with Churchill by himself," of which Atterbury gives proof from the letters. These letters certainly proved deliberately secret meetings between Mar and Churchill.

Further, on the same evidence, Churchill was sent to Mar as soon as Atterbury's letters of April 20 had been decyphered in London. Reaching Paris on May 10, he told Mar (as Mar himself had owned) that the letters had been intercepted. After that, Mar and Churchill had many secret conferences, and Mar wrote (May 11/22) the letter to Atterbury which "owns the receipt of

mine, and describes me by my function [Mar had only said, 'You know such things'—religious duties—'much better than I'], the late death of my wife, and a fit of the gout ['distemper' in Mar], from which I was just recovering,—characters that agreed to no other person in the kingdom but myself." Moreover, there was no "colour of business" in Mar's letter. Mar therefore wrote it merely to identify Atterbury, and sent it, which Atterbury had forbidden, by the common post. So Atterbury wrote to James (July 31, 1724). Mar might have replied, "I wrote on May 11/22 in the mere goodness of my heart, and sent the letter by the common post, because it had 'no colour of business.' I do not see that when I said you knew better about religious things than I, I pointed you out as Bishop of Rochester. Many people in England are more versed in religion than I, many of them may have just lost their wives, many may also have a 'distemper' of one kind or another, and many distempered, bereaved, religious people may have written cyphered letters on April 20, O.S."

Unluckily for this defence, which does not improve as it advances, the Lord's Committee, in Atterbury's case, did not take the same view of it, but cited Mar's letter as evidence to prove Atterbury's identity, to prove that he was the conspirator Illington. They said that the religious compliment "seems to point out the character and function of the person addressed," while the Bishop's illness and bereavement coincided.³¹ There was plenty of other circumstantial evidence against Atterbury, especially the mention of his lame dog, Harlequin, a present from Mar. Atterbury was most deservedly exiled, and George Kelly lay for many years in the Tower. Thence he escaped in circumstances of pleasing good taste, not breaking his parole, under which he was allowed to take drives for his health, and from 1745 to his death, apparently, he was closely attached to Prince Charles. He is not the dissipated Father Kelly, with whom he is often confused.

The reader has now the opportunity of forming his own opinion as to whether Mar sold Atterbury, or whether, in his writing and posting his letter of May 11/22, 1722, he only displayed the same fatuous heedlessness as he showed in giving to Atterbury, among a mass of Jacobite manuscripts, the letter of Carteret to himself and his notes to Churchill. In either case, after Atterbury's letter of July 31, 1724, to James, the king could not but

drop his connection with Mar. If not a traitor, he was inconceivably indiscreet and unsafe.³² *

In other respects, between 1722 and 1724, Mar absolutely demonstrated that he was either a traitor or incompetent. In 1723, before James had to drop his relations with Mar, that intriguer, in James's own words, "had been, unknown to me, negotiating, with the late Duke of Orleans, a Scheme utterly destructive to our native country. I should think" (James wrote in 1725) "I were not a little failing to our country and to myself did I ever trust or employ anybody who had a share in so base a thing."³³

Mar's scheme, unknown to James, was drawn up, done into French, and presented through Dillon to the Duke of Orleans. The paper was then conveyed by Lord Southesk, who did not know its contents, to James at Rome. The king was so affected by the plan of Mar's Memorial that he thought it wiser and better never even to acknowledge its receipt, so that there should be no evidence that he had so much as listened to "so base a thing." Had it come out that the plan had been considered by James, he would have been utterly ruined in the esteem of his English friends. Mar's enemies believed that he drew up his Memorial for this very purpose, by way of serving the English Government. This appears far less probable than that he was a foolish and desperate schemer; but it is certain that the author of the proposed plan, the person who brought it into politics by presenting it, without James's knowledge, to the Duke of Orleans, whence it was more likely than not to reach the English Government, could not be retained in office by any prince possessed of reason. With that extraordinary turn for misunderstanding and misrepresenting James, which is part of his misfortunes, Lord Stanhope says, "So far was Mar from recovering James's favour, that this Prince, like all weak men, ran into the opposite extreme, and looked with coldness and distrust on many of his most faithful followers, on account of their personal intimacy with Mar, even where that intimacy had been formed by his own direction, or resulted from his own partiality."³⁴

* I could not give a verdict of Guilty against Mar. The circumstances were so suspicious as to make it impossible for James to employ Mar, but it does not appear that Mar was rewarded by the British Government, nor is it certain that Dillon told him of Atterbury's prohibition to send letters by the common post.

Very slowly, very reluctantly, James's eyes had been opened to the character of Mar, whom the Master of Sinclair had appreciated pretty correctly. He took an English pension; James permitted it and congratulated him. His astounding folly, if not his perfidy, ruined Atterbury, and made all English Jacobites detest Mar. James did not cease to trust till Atterbury, in exile, laid the exact circumstances before him; and then came Mar's scheme, revealed to Orleans before James heard of it, and in itself an ideal example of reckless incompetence. Later, Mar's business was, or was thought to be, to excite faction,—to set Queen Clementina against her husband, to irritate the clans, and to traduce the servants, Hay and Murray, whom James now had about him. James's weakness would have lain in not warning his friends against Mar.

The Memorial of Mar, shown to the Duke of Orleans at the end of September 1723 and then forwarded to James at Rome, exists in an abstract by the honest James Edgar, the king's private secretary.³⁵ The French text, in full, is published by the Hon. Stuart Erskine, and is even more idiotic than Edgar's abstract enables us to understand.³⁶

Mar begins by saying that England not unreasonably boasts that she holds the balance of power. They have "greatly diminished the extent of the French Empire" in Marlborough's wars. In a war with Germans anxious to recover Alsace, King George would take part against France. Place James on the English throne, and French interests will be his interests. But, says Mar, it will be objected, Parliament will force him by its capricious humours to side against France. Parliament holds Scotland and Ireland in subjection, and the English people hate France with an ancient and inveterate hatred. A standing army in England might prove a remedy, but the people would not endure it. The remedy is to restore the liberty of Scotland and Ireland: they, united, will support James against England (of course to the advantage of France). The king will be his own master, "and more than ever obliged to preserve an inviolable union with France." Scotland and Ireland will be attached to the French king as the guardian of their freedom, "and thus these kingdoms will be more useful to him than if one of them was his very own."

(Presbyterian Scotland was not likely to accept abject dependence on idolatrous France: if Mar really believed that, his incapacity was abject.)

With an English king in the position suggested, "France will be for ever free from fear of her old enemies and rivals, the English." To produce these happy results, so welcome to James's English adherents, (1) France must lend James troops and ships for an invasion, James to pay them for eight days after the landing of the forces in Great Britain, reimbursing all expenses later. (2) By treaty, *to be made before the French leave Great Britain*, James must restore Ireland and Scotland to "their ancient liberty." (3) James must provide France with 5000 Scots troops and 5000 or 10,000 Irish, to be sent back when James demands their services at home. (4) The treaty shall be ratified by the Parliaments of the three kingdoms before the French invading army returns home. (This is Mar's conception of "a Free Parliament.")

In all this "there is no prejudice to the true liberties or ancient laws of the English people." Little vessels and fishers' boats will carry across the invading army and stores in one night, so that the English fleet, if aware of the design, will be unable to prevent the landing! Even in England the people only wait for a foreign force to rise. Scotland, to a man, is for King James: in three weeks he will be king, in three more Scotland will send an army of 20,000 men into England, where the people are so anxious to be up and doing. In Ireland James's friends, if armed, will not only prevent the English troops from passing into Great Britain, but will send forces to Scotland (why?) and to England. To accomplish these glorious ends, a French army of 6000 men and 20,000 muskets will suffice for England; 2000 men and 15,000 muskets for Scotland (which, to a man, is for James); 4000 men and 15,000 muskets for Ireland. Less will do, if the demand seem too great. Probably such an insane paper of State was never drafted, not to speak of the patriotic design to break the power and ruin the liberties of Britain. Not an English Jacobite but would have fought to the death against this policy.

Mr Stuart Erskine has written concerning this Memorial of Mar's, "There is absolutely no evidence to show that he [James] did not endorse it." In the nature of things there can be "absolutely no evidence to show that" the Pope or the Archbishop of Canterbury "did not endorse it." There *is* evidence that James never acknowledged the receipt of the paper. Again, it is argued that a previous proposal of Mar's, "approved by the Prince," "to all practical intents and purposes was precisely the

same thing, . . . though" Mar's *new* Memorial "no doubt exceeded in some measure the principle laid down in" Mar's previous proposals to James of 1721.³⁷ All that James accepted of Mar's previous suggestions which corresponded to the insensate ideas of the Memorial was to keep a regular army of 2000 men in Scotland, "model the Highlanders into regiments to the number of 15,000 or 16,000 men," and "make an agreement with the king of France for his entertaining a certain number of Scots troops in his service, which I am persuaded Parliament will approve of."³⁸ On comparing these statements of James (February 5, 1722) with the French document, we see that Mar's earlier proposals are not "the same thing" as his later Memorial, do not approach being "the same thing," and that James does not even accept in full Mar's earlier proposal as to Scots in French service.³⁹

Mar's earlier proposals, of the close of 1721, were concerned solely with Scotland, not with England and Ireland, and did not recommend James's abject subservience to France; nor is a word said about legislation by the English Parliament, the Scots, and the Irish, under the guns of a French invading force. It is admitted by Mar's defender that James "never expressed his approval" of the Memorial "in writing,"⁴⁰ and, as this is so, we need not seek "evidence to show that he did not endorse it."

It is hardly worth while to spend time over such a defence of the indefensible, in which the printed Stuart Papers on the matter are not once the subject of reference; and there is no allusion to Mar's pension from England, or even to that letter of his to Atterbury which was cited at Atterbury's trial. That Mar sold the cypher, and deliberately betrayed Atterbury, we have no proof. That his careless folly injured Atterbury, that his Memorial was a burlesque monument of incapacity for statesmanship, and so abject that, if known, it must have left James without a friend in England, is certain. Mar says that Atterbury, later, had the Memorial printed at London, in French and English, to discredit its author. This was in 1728.⁴¹ Mr Stuart Erskine says that the Bishop's publication (of 1728) caused Mar's dismissal from office, which occurred in 1724.⁴² The statement lacks probability. Meanwhile it is proclaimed as a proof of James's weakness and frivolity that, in the gentlest manner possible, and with manifest pain, he ceased to trust, and superseded, the proposer of a shameless, slavish, and utterly impossible transaction as set forth in the Memorial.

The things which History permits herself to say about James are of an inexplicable absurdity. "He was as arbitrary and exacting as the strongest-handed and most self-willed of reigning despots could be."⁴³ In fact, James endured rebukes of the most unvarnished plainness from Lockhart and from Mar with the courteous self-restraint of a perfect gentleman. One of Mar's performances, after he had ventured his worthy Memorial, was to stir the clans to hatred of James by averring that the king neglected the exiled chiefs. Atterbury consulted persons who knew the Highlands, and wrote, "I do not find that there is any real foundation for the earnest and even rude representations Mar has made on that head. If there be, he first raised the resentments before he argued from them. . . ." ⁴⁴ Mar had written to James, asking, "Why are you taking, as it were, pains to disoblige and lose the inclinations of those gentlemen who merit so well at your hands? . . . Your being in present want and not in cash will not excuse you with them nor with the world, I fear, when the thing comes to be known," with much more in the same style.⁴⁵ The fierce despot replied, "I take as kindly as you mean it" (rather a neat retort) "what you represent to me in relation to the Clans. You are witness yourself how sensible I have been all along of their condition, and that I have neglected nothing in my power towards their relief. I hope a new Pope, whoever he may be, will enable me to provide for it, but that shall not hinder my continuing proper measures elsewhere for the same end. . . . As I have ever supplied them as I could, so the first money I can get shall certainly be employed upon them; but as it is, I have neither money nor credit."⁴⁶

James was dependent on the Pope: England had never paid, nor ever did pay, his mother's dowry money. The Pope of the moment, as Field-Marshal Keith (James Keith) saw and said, was the reverse of generous. James could not give what he had not got, and throughout his life had an unroyal horror of debt. He did send money to Tullibardine, who returned it. James wrote, "I am far from disapproving these sentiments which engaged you to return hither the small supply I lately sent you; but as I am sensible how much you must want it, I have added another bill of the same value to it, which I send you both together, and which I hope you will not refuse from my own hand. . . ." In these circumstances we may imagine how much James, to quote an historian, "enjoyed the spiritual crown of martyrdom,—a martyrdom

sweetened by indolence and luxurious enjoyment.”⁴⁷ As for indolence, a mere glance at the masses of the Stuart Papers, written in his own hand or to his dictation, and very carefully composed, disproves the charge. No crowned king, perhaps, did more business, though all the business was futile. He corresponded with agents in many foreign Courts; with Atterbury, Lockhart; with countless jealous intriguers, trying to pacify their quarrels, which were increasing; and at this moment he was labouring to reconcile the Duke of Gordon to the Macphersons, who accused him of oppression and eviction, while some of them tried, not quite successfully, to murder the Duke’s factor, the hardy Gordon of Glenbucket. “This unlucky accident,” as Cluny wrote to Marischal, “brought the Duke of Gordon into our country, with a body of a thousand men, foot and horse.”

“For he was resolved
To extirpate the vipers,”—

“to extirpate us and the whole name of Macpherson out of the country,” writes Cluny. Marischal and Lochiel, from Paris, therefore begged James to induce Glenbucket, while he punished the guilty if he could, not to extirpate the clan (Paris, August 7, 1724). James, therefore, wrote to Lochiel, enclosing letters for Glenbucket and the Duke of Gordon, and so pacified a dangerous clan feud with which King George could not successfully have meddled.⁴⁸

Meanwhile one thing was certain,—whatsoever Minister James chose in place of Mar, indeed whoever he employed, would be subjected to every kind of suspicion, hatred, and cabal. Mar was said to intrigue against these servants with all his might. Mar’s friends in Scotland would misrepresent them; James’s friends in England and Scotland would regard them with jealousy; and the whole storm, blown up from so many quarters, fell on Murray and Hay. The Jacobites were, in the proverbial phrase, “a very fair people,—they never spoke well of each other.” The meanest intrigues devastated the little exiled Court: they spread upwards from the nursery, and Prince Charles’s nurse, Mrs Sheldon; while Clementina found feminine causes of quarrel everywhere and nowhere, being *désavouée* and *ennuyée*, and would sulk for weeks and months. Naturally the world sided with the lady, and the usual scandals were invented that attend domestic quarrels. The troubles appear to

have begun in the gloom and disappointment which followed the failure of Alberoni's Spanish attempt. In 1722 money was the great thing wanted for Atterbury's plan: the English would not find money, and the Pope, Innocent XIII., contented himself with giving to Clementina the Golden Rose. James offered to pledge the Queen's jewels, the famous Sobieski rubies, but the Pope did not like the security: the rubies were perhaps entailed on Prince Charles, who, in 1745, wished to raise a loan on them for the Scottish campaign. James was reduced to a deeper melancholy than ever, and poor Clementina, like the old Scottish lady, may have asked, "How can I be weel when I'm no' divertit?"⁴⁹ "For the love of God, Monsignore," writes Hay to Cardinal Gualterio, "think of something to amuse the king, for without that I foresee great anxieties." James was kind enough. During the fatal illness of Clementina's mother, in July 1722, one of Prince Sobieski's household wrote to one of Clementina's, and James sent the letter at once to Gualterio, to have the Polish translated, that he might himself break any bad news gently to his wife. He was kind, but he was not amusing.⁵⁰

Clementina thought she could divert herself if she were allowed to know the many futile secrets of the Jacobite schemes. But James, remembering his mother, was unable to trust a young lady with dangerous secrets,—they would be all over Rome, as they used to be known, Bolingbroke said, to every Irish lieutenant in Paris. Thus Clementina had a grievance; moreover she had probably imbibed from Charles Wogan that Catholic hero's dislike of the Protestant Murray, who had been sent, in place of Wogan, to Prince Sobieski. The queen was very Catholic, and hated all the Protestants about James for religious reasons. James, by policy and character, was tolerant, more so than was agreeable to the Pope, who took the queen's part in every difference. A lady, Mrs Sheldon, was engaged to succeed, or be superior over, Prince Charles's Welsh nurse, Mrs Hughes, the fellow-conspirator of Layer. Trouble arose in the nursery. As early as February 20, 1722, Hay wrote to Mar that the king "is resolved to meddle no more in these matters,"—quarrels of a mother and nurses. Hay himself "has a notion of the impossibility of women's ever agreeing together."⁵¹

In January 1723 James began to look for a learned man to be about the presence of the little prince, who was already a

lively, restless, headstrong child. "I will be very dutiful to mamma and not jump too near her," the prince writes in his first letter to his father: the nerves of his mother could not endure his jumping. Michael Ramsay,—the Chevalier Ramsay,—like James a friend of Fénelon, was selected as tutor; but Ramsay was the man who translated "that base thing," Mar's proposal to hand England over to France, for the perusal of the Regent d'Orleans. Ramsay was beguiled by Mar, as was General Dillon, who, though always honest, naturally espoused Mar's party. Ramsay arrived in Rome in February 1724, remaining till about the time when Atterbury persuaded James that Mar was either treacherous or inconceivably foolish and incompetent. At this time Hay writes, "You may easily imagine what amusement the Prince gives to his father and mother, and indeed they have little other diversion." Their gloomy palace was not the place of indolence and luxurious enjoyment that historians have created out of their own fancy. Ramsay was dealing, or was believed to be dealing, with Mar and France. In the autumn of 1724 he insisted on returning to Paris, to shield his friends against some calumny. Those about James, in company with Atterbury, were then against Mar, and Hay writes that Ramsay is "a creature of the Duke of Mar,"—that is, was a *protégé* of Mar,—hears him being reviled, and believes in his innocence. "Two glasses of wine unhinges him,—he is not capable of sincerity. . . . He was *called* here for one purpose, and *sent* here for another"—namely, to defend Mar's interests.

As Ramsay, a Catholic, departed, James chose Murray, a Protestant, to be with the prince, conjoined with Sir Thomas Sheridan, who was later one of the Seven Men of Moidart, at the opening of the campaign of 1745. With a Protestant's appointment to be about her son (1725), the wrath of Clementina grew darker and deeper. There are also traces in the Stuart MSS. of some embroglios, probably political, in which Atterbury and the queen were involved: she seems to have interfered politically, perhaps in Mar's interest. Murray writes to Cardinal Gualterio, "Something fresh has happened which causes great difficulties between two persons infinitely esteemed by your Eminence. I think it serviceable to both to warn you and to implore you in God's name to treat what the younger of the pair has done gently, and as an error of youth." He asks Gualterio to "speak to the queen about a fault caused by

want of experience." "You know how I am interested in their union and happiness. Tear up this note after reading it."⁵²

Manifestly Clementina had done something indiscreet. But Murray's letter is all that it should be, and by no means justifies the reports of his "insolences" to the queen, which reached all Europe and perturbed Lockhart in Scotland. When Murray was appointed as governor to the prince, Mrs Sheldon was the person aggrieved. She inspired Clementina with her own emotions, she was the constant cause of quarrels, and, when James dismissed Mrs Sheldon, matters came to a head. Clementina had suffered much before the birth of her second child, Henry, Duke of York, in 1725. Her health was bad; she thought that her religion was outraged. Mrs Sheldon, a partisan of Mar, and she nursed each the other's wrath: these were *domestica facta*, not wholly unknown in private families. But the results were, as usual, an increase of James's ill-fame, though, except for his natural melancholy, he was perfectly innocent in the whole concern. If his son was to be king of a Protestant people, they must be conciliated, and the prince must be made familiar with their ideas, not taught to regard them as damnable heretics.

Clementina now added a new grievance to her list. She was, or persuaded herself that she was, jealous of Lady Inverness (Mrs Hay), with whom, hitherto, she had apparently been on the best terms. The charge against James's morals would have been nothing out of the way, considering royal ethics in general, and those of European Courts at that period in particular. But James's character in such matters was quite stainless. Long afterwards an adventurer claimed to be his illegitimate son. Cardinal York (1782) inquired into the matter, through Lord Caryll, who reported that "he never met with any, either friends or enemies, who ever laid such a thing to the charge of his Majesty."⁵³ Dr Glover, who had carefully read all James's correspondence, still unpublished, in the Stuart Papers, says what the writer's own knowledge of them corroborates, that James displayed throughout the whole of this painful transaction a kindness of feeling and a desire of forgetting the strange conduct of Clementina that does him infinite honour.⁵⁴

Early in November 1725 Clementina retired with her grievances and Lady Southesk to a convent. The step was damning to James's character, and has ever since darkened his memory. "So

firm a hold," says Glover, "have these scandalous fabrications [about Lady Inverness] taken upon the minds of men, that we find them commonly accepted as acknowledged truths, or stated as undisputed facts of grave history." The Papal Court, for religious reasons, adopted the scandals, and James regarded Cardinal Alberoni as the chief agent in disseminating them, while the moving cause, he believed, was Mar's intrigues for the ruin of Hay (Inverness).

The letters of Canon Stratford to Edward Harley, second Earl of Oxford, give the form in which the scandals reached England.⁵⁵ He says that Murray had "affronted" Clementina in 1721, when he retired from Rome, and that Murray's return as the prince's tutor was one cause of offence. Both Murray and Hay were recommended, the Canon notes with glee, by Atterbury, who, he says, used to "bully our poor brethren," the Canons of Christchurch.⁵⁶ "A great many stories go about here, as that he [James] caned her" (Clementina). "This is a ripe precious fruit of Atterbury's Ministry." Lockhart says that Mar's partisans circulated the story of James's amour with Lady Inverness, and that it was generally believed.⁵⁷ It ought to

"Have made the laughter of an afternoon,
That Vivien should attempt the blameless King."

En revanche, Lady Mary Wortley Montagu collected at Rome, and sent flying to London, the story that the Pope was the fortunate lover of Clementina! Lockhart also heard that Mrs Sheldon "had gained an absolute ascendancy over the queen, and, being entirely at Mar's devotion, was his spy, and by his instigation blew the coal and incensed her Majesty against Lord Inverness, and kept the whole family in hot water." This was James's own belief at the time. After Clementina's death (1735) he turned the affair over in his patient reasonable mind, and wrote that he did not think Mrs Sheldon "failed in anything essential." She had not been treacherous, only a jealous nurse. "There is a great reality of forgiveness in me towards Mrs Sheldon," who had been one of the causes of almost or quite the greatest of his misfortunes. He now believed in "the uprightness of the queen's intentions, and the wickedness of Alberoni's conduct."⁵⁸

James, perhaps unwisely, circulated a Memoir about the queen's retreat among his party. He had hoped that his wife's resentment against his Ministers "would pass with a little time and patience on

his part." He had tried to encourage her to divert herself and go into society. But she let him know that, if he did not discharge Inverness, she would go into a convent, "still without bringing any reason for it,"—exactly like Lady Byron, and other estimable ladies. From "a person of great worth and consideration" (obviously Cardinal Gualterio), to whom Dunbar (Murray) had written, James learned that the tutorship of Murray, a Protestant, was another intolerable grievance. Inverness and Murray both wished to resign, but, in the circumstances, James could not accept their resignations. His letter, *à ma chère Clementine* (November 11, 1725), is all that an affectionate husband could be expected to write. He reminds her that he has patiently endured her "bouderies" for two years. Doubtless she would have been much more forgiving if she could only have made him lose his temper. "You have always had my love *sans partage ou rivalle*." He reminded his wife that, as Inverness was displeasing to her, he had years ago removed him from all charge over the household. He pointed out that she had not mentioned a single instance in which Inverness or Lady Inverness had given her cause for complaint. She was mistaken, he assured her, in thinking it *bassesse* (her own phrase) to behave with ordinary civility to persons with whom she was brought into contact. All this was in reply to a lost letter of Clementina's, and James examines in detail each point of her case, ending by the wish that she had consulted her father before taking a step so pernicious to her husband's interests as retreat to a convent.⁵⁹

The Pope asked James to take Mrs Sheldon back, and declared that he could not approve of Murray's attendance on the child prince. James replied that he had no occasion for the pontifical advice in the affairs of his private family—though he knew that the Pope could cut off his supplies. People about the Pope, probably Alberoni, were anxious to put a stop to the use of the English service in James's chapel, and James was so harassed that he wished himself out of the Papal States (January 19, 1726).⁶⁰ Lockhart, in veiled language, counselled James to give in all along the line, and dismiss every one to whom Clementina showed an objection. He and Hamilton, Eglintoun, Kincardine, and the other Scots leaders, might also write a letter to Clementina imploring her to be reconciled.⁶¹ He also told Hay that the public voice laid most of the blame on him, and mentioned a false

report that the loyal Allan Cameron, who had been in the Highlands, acted there in the interests of Mar. At this time a letter of Clementina to one of her sisters was published. Hay and his wife had reduced Clementina "to a cruel situation," she said. They had "neither religion [they certainly had not her religion], honour, nor conscience"; but what they had done to Clementina, or how their wickedness was displayed, remained a mystery as deep as ever, supposing the letter to be genuine.⁶²

Meanwhile, as we have seen, the Episcopal clergy were at feud among themselves. The party, in short, was a mere thing of rags and tatters. Clementina refused to listen to a proposal that Ormonde should be the prince's governor (what a task for Ormonde!), and that Lady Inverness should leave the household during the queen's displeasure. She would not hear Cardinal Gualterio, and to the Princess Piombino she replied that she had a headache. She had another headache when James made proposals for reconciliation in a letter; later she replied "in Cardinal Alberoni's style," objecting to all Protestants, and to Hay "as faithless to God, and therefore incapable of being faithful to his master." "I would not purchase even my restoration at the price of being her slave," James wrote to Lockhart.⁶³ He had again vainly adjured her to tell him what her genuine cause of anger was,—not improbably it was some hysterical delusion: hysteria, that masterless and mysterious fiend, is the best explanation of her conduct. But Lockhart told James that it was vain to attempt to shake the public belief that Clementina had been ill-treated. The Queen of Spain, "the Termagant of Spain," took up Clementina's cause with fury. Inverness (Hay) himself lost heart, and implored James to yield rather than perpetuate the domestic feud; but James first retired to Bologna, deploring to Lockhart that reason had no influence with his wife. In the end of March 1727 James and Hay said farewell to each other. A wilful woman can usually have her way, and Clementina, having ruined her husband's character, broken up his party, and won universal sympathy for her unknown sorrows, had *her* way.

In 1727, as we saw, Lockhart's correspondence with Rome was intercepted, and he fled to the Continent. He and his friends were vexed by James's appointment of Sir John Graham to succeed Hay: Graham was a creature of Hay's, they said. Still Clementina had not, as yet, become jealous of Graham's wife, if a wife he had. Lockhart himself now accepted the stories of the insolence of the Hays

as the cause of Clementina's retreat to the convent, though no evidence as to details has been found. Lockhart admits that people who were constantly with James "could observe nothing in him tending that way" (the way of an amour with his secretary's wife), "and did verily believe there was nothing of that in the matter."⁶⁴ Of Hay, Lockhart gives the worst account, "as cunning, false, avaricious, cultivated by no sort of literature"; but Hay's letters are as well written as those of any gentleman, and he certainly had no wish to supersede Mar, which was the real cause of the attacks on him. Dunbar's (Murray's) ability is admitted, but his "insolence" is denounced; again, we cannot find it in his correspondence. Unluckily he was met with greater insolence by Prince Charles, whom he quite failed to keep in order. In truth, the jealousies of the Jacobites among themselves were the source of their sorrows. Their king must have some secretary, but every secretary in turn was envied and detested. Lockhart, after calling Graham "a creature of Hay's," inadvertently remarks that he was "a young gentleman of good parts, and descended from an eminently loyal family";⁶⁵ yet his appointment was bitterly resented as soon as it was announced. "A mean rattle-headed person" of the name of Hamilton was given a post of confidence in England, to Lockhart's disgust. The death of George I. was followed by a sudden journey of James's to Lorraine, just when Clementina was about to join him at Bologna. James thought there were chances of foreign aid and of a Highland rising; disappointed again, he went to Avignon, whence the French Court procured his removal, as his presence there was offensive to Britain.

On October 7, 1727, Lockhart informed James that all his ciphers were in the hands of the British Ministry. "These ciphers came from the fountainhead abroad," "from one that knew how to be master of them."⁶⁶ James believed, for reasons which he gave, that Lockhart's informant was in error, as none of his letters had contained the matter which, according to Lockhart's informant, they did contain. The source of the information, which reached Lockhart at second-hand, was obviously Argyll, who had a great private liking for the laird of Carnwath.

Meanwhile Clementina, still jealous of Hay, declined to go to Avignon. James attributed her refusal to Alberoni, and desired Lockhart to let this be understood in Scotland. Lockhart replied by a letter, scolding James for favouritism ever since 1716, and

defended Clementina with vigour : apparently he was inexperienced in dealing with hysterical women. James, who was leaving Avignon to join Clementina, took no notice of Lockhart's reproaches : indeed he had left Avignon before the long letter could reach him. Lockhart was now persuaded that the ciphers had been sold, because, though he had heard that some ingenious and laborious persons could decipher, "yet I question if the Divell himself can know what person is realie meant by a fictitious name."⁶⁷ In fact, there are few things more easy to discover : the context of the letters always gives an easy clue. Lockhart finally says that he was told Hay was the paid spy of the English Government, "tho' I am far from asserting it as a truth to be depended upon." Indeed Jacobite ciphers were always indolent, inexpensive puzzles, and the only reason for supposing that the decipherers did not unriddle the ciphers in Mar's case is their stumbling over easy words. But something in the handwriting may have caused these errors. On the whole, Lockhart seems to have leaned to the belief in Hay's perfidy ; and he ends his Memoirs in a tone of the deepest gloom. For years the Jacobite party was "out of the play."

The political faction fights of Scotland during this period were of moment, no doubt, to the persons concerned, but are of little interest to us. Had Argyll been won over by the Jacobite party it would have been an ill day perhaps for himself, but certainly for the House of Hanover. His ambition, however, and his sense of his own importance as a great prince, a great warrior, and an eloquent debater, found safer outlets. He had broken from George I., or been discarded by him through the intrigues of Cadogan and the *Squadron*, after 1715. He had joined the party of the Prince of Wales, and by him had been deserted. In 1719 he had his revenge. The prince had declared war against his father's Minister, Lord Sunderland, who felt safe, even if George I. should die, in the support of his friends in the House of Lords. But the prince on his accession might fill the House of Peers with new created Lords in his own interest, as was done in Queen Anne's reign (1713), and so Sunderland favoured a Bill to restrain the sovereign from resorting to this expedient. The Bill was thrown out by the Commons, to the surprise and disappointment of the Ministry. The Tories said that it was an essential alteration of the constitution, and would place too much

power in the hands of the House of Lords as then existing. The sixteen elected representative Scots peers were to be raised to twenty-five sitting by hereditary right, and the sovereign, except in his own family, was not to be allowed to create more than six new peers. The sixteen Scottish lords then representing their country were all eager supporters of the Bill,—Argyll because it was levelled at the Prince of Wales, the rest because they would all be of the new hereditary twenty-five. They would be depriving their electors, the other Scots peers, of their chances, rights, and privileges, and would be violating the terms of the Treaty of Union; but for these circumstances they cared not at all. It is true that the twenty-five, once secure of their seats, would not be the puppets of the Court that they usually were, for the government of Scotland in the interests of the English party in power had not ceased with the Union. The Jacobites tried to stir up the Scots peers to a generous and patriotic indignation, but found most of them meanly indifferent. The Jacobite Scots lords, however, caught fire, and sent up an address against the Bill.

Annandale now died, and another representative peer had to be elected. The Tories and other patriots desired to choose the Earl of Aberdeen. Argyll was of opinion that, apart from the Court influence behind his old enemies of the *Squadron*, they had not great weight in Scotland. This seemed the moment to try a fall with them, and see whether he or they had most to say in Scotland. The Ministry, in a sporting spirit, promised to stand aside and let Argyll and the *Squadron* show which was the better man. Argyll thought of the Duke of Douglas or the Earl of Morton as a candidate. To this pitch, as a counter in a contest of faction, had the great historic House of Douglas fallen, that once had been the not unequal rivals of the Crown. But Argyll found that the *Squadron*, rather than be defeated by him in this petty and inglorious war, would back the Jacobite candidate, Aberdeen. His course, therefore, was to set the Jacobites at odds among themselves. Lockhart described the situation to James (June 15, 1721): Argyll had selected the Earl of Eglintoun, "a very honest man" (that is, a good Jacobite), and so divided the Tories. However, they and the *Squadron* carried Aberdeen, and Argyll sent a friend to Lockhart to ask why his party had sided with the *Squadron*. Lockhart said that Aberdeen

was perhaps the fittest man in Scotland for the place,—“one of great capacity and knowledge, particularly in the laws and constitution of the kingdom.” But now Argyll was ready to offer terms for the Tory (practically Jacobite) alliance against the detested *Squadron*. He would lend them his influence, and elections would protect those who “were persecuted for the king’s sake,” and would oppose the Peerage Bill. Lockhart hoped to make more use of Argyll,—a hope always deceitful. Argyll “slighted” the Jacobites, “and even agreed with the *Squadron* in a list of peers to be chosen”; while several Jacobite peers would not “qualify,” and so be able to vote. Among these honest “Non-jurants” were Strathmore, Strathallan, Rollo, Wemyss, and the good Lord Pitsligo, who, in old age, joined the Prince in the ‘Forty-five. Lockhart, a personal friend of Argyll, found him still very angry over Aberdeen’s election with his party. He was now of Walpole’s party, who, in 1721, began his long tenure of power. Lockhart pointed out to him that he would never be trusted by Walpole, who hated the idea of a rival; but circumstances brought about the fall of Roxburghe, to Argyll’s gratification. Roxburghe, the head of the *Squadron*, “went out on malt.”

At the Union, Scotland was to be exempt from the Malt Tax till the end of the war then raging. After the Peace of Utrecht the attempt to impose the tax was met by the proposal to repeal the Union, as has been shown, and Scotland remained free from the impost. At the end of 1724 the Commons passed a resolution not to impose the Malt Tax, but to levy in Scotland, not in England, an additional sixpence on every barrel of ale, and to remove the bounty or “præmiums” hitherto granted on exported grain. “As this was regarded as a plain breach of the Union, in so far as it expressly stipulated that there shall be an equality of taxes and præmiums on trade, every Scotsman was highly enraged at it.”⁶⁸ Yet Scotland did not repine at the inequality of taxes which confined the Malt Tax to England, which seems inconsistent, as its extension to Scotland, after the end of the war, was “expressly stipulated” in the Treaty of Union. It was feared that, in the absence of the bounty on exported corn, grain would “become a mere drug,” and all the evils attendant on cheap food would assail the unhappy population. It is remarkable that, in a country where the soil was still so innocent of drainage that rough hills had to be ploughed, as

relatively dry compared with the levels, there was any grain to export.

The Jacobites found that they need not be prominent in fanning the general indignation. Lockhart, however, and Sir John Dalrymple drew up letters to the Member for Mid-Lothian expressing their sentiments. If he was not heard, the Member was to protest against the violation of the Union and leave the House. The forms of the House, however, it was said, admitted no such protest. The sixpence was a violation of the Seventh Article of the Treaty of Union, and the withdrawal of the bounty violated the Sixth Article. Even the Legislature, the authors argued, could not alter the terms of the Union, though it is to be presumed that the Legislature could repeal it altogether, as Jacobites and many of the preachers of all sects desired. All this was expressed in an address to the House of Commons. To their Member the Heritors of Mid-Lothian said that they would prefer the Malt Tax (which was in accordance with the Union) to the new and revolutionary measures.

The remonstrances startled even the Ministry, for they came in clouds, accompanied by private letters. The Scottish members, however, were "a parcel of people of low fortunes that could not subsist without their board wages" (ten guineas weekly during Session), or were "mere tools and dependents." Fearful of losing their seats and board wages, they humbly applied to the Ministry, who dropped their proposals, and by a compromise with the Scots members put a tax of threepence a bushel on Malt. This was but half the English tax, and involved no breach of the terms of Union, except that the taxation remained unequal. To pay the board wages of the Scots members was a burden on Government. If any one was to pay them, the duty clearly lay with the Scots, whom they represented. The Government was suspected of a design to abolish the Highland dress and the Gaelic language; and General Wade visited the Highlands, preparing to plan his system of military roads. These were made, but Walpole never thoroughly secured the Highlands by sufficient forts and garrisons: the neglect led to portentous results. There was, however, after the passing of the Malt Tax Bill, a proposal for disarming the Highlands,—a thing not easy to do.

"There's something hid in Hieland brae,
The wind's no' blawn my sword away,"

says the song.

The new Bill came before Parliament in the spring of 1725. Several English members opposed certain clauses, and that which aimed at abolishing the Highland dress was dropped, to be revived after Culloden. No Scots member opposed, and the Bill was introduced by Duncan Forbes of Culloden and supported by Argyll. As Lockhart observes, the more quiet the Highlands were, the less did Government need the repressive services which the House of Argyll had always rendered, receiving rewards that no other family enjoyed. King George had a right to exempt whomso he pleased from the law, and would be apt to exempt the Campbells. The truth is, says Lockhart, that the Duke only looked to the present moment, but, had he looked further, he must have seen that the existence of armed Celts, alien in language to their peaceful fellow-subjects, did not make for peace and security. The cattle-raiders of the clans had too much the best of the bargain, politics apart. Wade was made Commander-in-Chief in Scotland, with power to build forts where he pleased. Ships of war were put at his orders, and troops were sent from England to encamp at Inverness.

This was about June 1725, when the Malt Tax caused great agitations in the Lowlands. The tax was to be enforced on June 23. Delegates from the towns had conferred with the Edinburgh brewers. It was resolved, says Lockhart, to enter accounts of the malt in stock, so evading the heavy penalty on refusing accounts, but not to pay the duty. If they were sued by the Commissioners of Excise, the brewers were to leave off brewing, so that Government would lose more in excise than they would gain by the Malt Tax. On June 23 the Excise officers deemed it discreet to retire from most of the towns in the western shires,—always the most turbulent, whether true religion or the pockets of the lieges appeared to be in peril. Theorists may attribute the excitability of the west to the Cymric element in the population, but such opinions are, perhaps, fantastic.

The city of Glasgow was especially indignant. Their Member, Campbell of Shawfield, was believed to have encouraged Government in imposing a tax oppressive to the trade in tobacco: for Glasgow by this time was dealing in American and West Indian tobaccos and sugars, which greatly contributed to "the comforts of the Saut Market." Campbell's windows had been broken in December, though, according to Wodrow, he spoke against the Malt Tax in the House of Commons.⁶⁹ On June 21 Shawfield warned,

or was said to have warned, Wade of the need of military protection. From Edinburgh Wade had sent a detachment of foot (June 24), but as the mob had locked the guard-house, they were billeted in the town. The mob, denouncing the absent Shawfield as the introducer of the soldiers, destroyed his house, and had he himself been in town "they would certainly have dewitted him" (torn him to pieces), says Lockhart. Many strangers and thieves, says Wodrow, were present to attend the Glasgow Fair, and, as usual, there were hosts of women and boys. The Provost dared not read the Riot Act: the soldiers were abed all about the town, and the mob had its way.⁷⁰ Next day a relatively small mob threw stones at the soldiers, "none of them hurt to speak of." Their officer, without reading any proclamation or dispersing the rioters "with the bayonet and the butt," gave orders to fire. Three or four persons fell; the mob, incensed, broke into the Tolbooth prison, seized arms, and rang the bells. The Provost ordered the soldiers to retreat, which they did, firing as they went, and taking refuge in Dumbarton Castle. Later, Duncan Forbes (Lord Advocate) and Wade arrived with troops enough, seized the magistrates of Glasgow, as conniving at the riot, and conveyed them to Edinburgh. The Lords of Session released them on bail, which Lockhart says they had previously offered. The people of Glasgow found that their zeal in raising forces in 1715 was but scurvily rewarded, and the opponents of the Malt Tax were the more angry and resolute.

The Lord Advocate, Forbes of Culloden, justified his action in a memoir written in his own hand. The Provost was guilty, first, of not placing the troops in possession of the guard-house on the night of their arrival, in sending them to scattered billets, in not even trying to read the Riot Act to the mob, and in refusing the assistance of the troops when offered. Probably fear was his true motive, though that was no excuse. Some of the bailies had probably absented themselves deliberately from the town, having foreknowledge of the events. Bailie Mitchell, himself a maltster, sneaked away by boat without offering any advice or assistance, "a gross malversation in office." The Dean of Guild had shuffled, and insisted that the troops should be armed not with swords but with sticks, and he made no effort to disturb the sackers of Shawfield's house. The Deacon Convener disappeared when the mob gathered about the guard-room. Two other bailies drew up and circulated a false popular account of the affair, and all connived at

the escape of the chief rioters when the later military reinforcements were arriving. They made no secret inquiries, and only delivered a list of four women and three men, who had no fixed abode, or none in Glasgow.⁷¹

The magistrates, on the other hand, represented that neither as Advocate nor as Justice of the Peace of Lanarkshire had Forbes any authority to arrest them and hand them over to the military power. As for the charge of "favouring and encouraging" the mob, "in some sense persons might 'favour and encourage' yet be guilty of no crime." It was no crime to run away in fear. They petitioned the king in the same sense.⁷² Sir Robert Walpole thanked and applauded Forbes for his zeal and pains; and he certainly acted with great energy, whether he or the magistrates were right in their reading of the law.⁷³ It was argued, on the other hand, that the seizure and imprisonment of the Glasgow magistrates was an arbitrary and unconstitutional action, done for reasons of political partisanship. The magistrates, at the last municipal election, had supplanted "Shawfield's set," and the late Provost, Aird, had been "under pay" from Government. The riot was made an opportunity for getting rid of a more independent magistracy.⁷⁴

According to Lockhart, the President of the Court of Session was eager for the enforcement of the Malt Tax—his private object being to oblige the Ministry and obtain a retiring pension of £1000 a-year, while Lord Grange, Mar's brother, would succeed to his Presidentship, and his own second son would succeed to Lord Grange. He therefore persuaded a majority of the Judges to issue an Act of Sederunt commanding brewers and vendors of ale in Edinburgh to raise the price of their liquor. The brewers would thus, by the higher price, be recouped for what they spent on the Malt Tax, of which the burden would fall on the consumers. The Lords of Session had an old right to regulate the prices of food and liquor in Edinburgh, for the purpose of preventing these commodities from being too dear. The proposed Act, however, had precisely the opposite effect.

The brewers saw the trap: while they were to be benefited for the moment, the Malt Tax would be riveted on and would ruin the country,—surely an exaggerated view of an impost expressly stipulated in the Treaty of Union. The brewers continued to sell at the accustomed price, and, when convened by the Lord Advocate, they declared that they would go on brewing while their stock

of malt held out, but would go to prison rather than pay the Malt Tax. Their turn-out of beer and ale was now very low, and there was a corresponding fall in the excise due to Government and to the burgh. This vexed both Culloden and the Edinburgh magistrates, and the Court of Session, moved by the President, passed an Act of Sederunt declaring it contrary to the public welfare and illegal for the brewers to cease brewing. They must go on as before July 29 till November 1, and then give fifteen days' notice of any intention to desist. They must bind themselves to do all this under a penalty of £100 in each case. This the brewers declared to be a grievance under the Claim of Right. The Judges ordered their protest to be burned by the hangman, and called them to the bar, where they proclaimed themselves recalcitrant, and were threatened, in that case, with imprisonment from August 10 till November.

In London the Ministry considered the matter, and sent down Argyll's brother, the Earl of Islay, who was wounded at Sheriffmuir, a man of resolute character. The brewers were then summoned before the Justices of Peace and ordered to pay the Malt Tax. Many of the Justices were Government officials, including the Lords of Session; others were officers in the army; and they were supported by Carpenter's Dragoons, who patrolled the streets. On August 25 the Justices condemned the brewers to pay double duties. A few brewers, moved by a prayer-meeting and, it was said, by "a purse of gold," now broke away from the combination on Islay's engaging that payment should be suspended till the meeting of Parliament. The concert being thus broken, the brewers both in and out of prison yielded. Lockhart heard that, if they had remained resolute and thus ruined the Excise, Islay had orders to supersede the Malt Tax. The brewers had little support from a thirsty people, or from men of position who could not but observe that the tax was entirely legal.

The anxious Wodrow had seen that "the heavy grudge" against the tax, with the expected opposition of the clans to disarmament, —especially of Seaforth, an exile on bad terms with James,—would work in the Jacobite interest. "These are bold adventures on Scotland by the chief Minister," Walpole. Culloden, when in Glasgow, was accused of talking during sermon time, and of bantering Major Gardiner, the eminent devotee, famous for the singular circumstance of his conversion, for his mismanagement of his cavalry

before Prestonpans, and for the gallantry of his death on that field.⁷⁵ It was on the Malt question that Roxburghe, the old head of the *Squadron*, lost his Secretaryship for Scotland:⁷⁶ Islay and Culloden, under Walpole, came in, and practically governed the country.

A friend of Wodrow, recently returned from the Continent, had found the Jacobite exiles in Paris and Holland "very poor and heartless." Lord Sinclair was anxious to repent, "and in Lord George Murray, they say, a very happy change is of late wrought." Skulking in the hills after Glenshiel, he was reduced, in lack of secular literature, to read the Bible. "He is highly commended not only for a serious convert from Jacobitism, but for a good Christian, and a youth of excellent parts, hopes, and expectations."⁷⁷ Lord George may have been a very good Christian, but in 1745 he proved, as General under, or rather over, Prince Charles, that he was no sound convert from Jacobitism. But it was true that the heart of Jacobitism was broken by hope deferred, by poverty, by the scandal which Clementina had caused, by internecine jealousies, and by the power of Walpole combined with Argyll. Till Walpole began to lose his grip of power, till Prince Charles came to man's estate, Jacobitism was dormant. The main current of Scottish history ran in the old religious channel, and the leaven of the Covenant produced the Secessions which have been described. Lockhart, an exile, fell in a duel. Jacobitism reposed in the hearts of the clans, and of Episcopal Lowland lairds, till its hour came for one last gallant enterprise.

NOTES TO CHAPTER XIV.

¹ Cf. Allardyce, *Historical Papers of the Jacobite Period*, i. 62-123, New Spalding Club, for some curious details from the Presbytery Books of Alford.

² Lockhart, ii. 36-38; Grub, iii. 383, 384.

³ Lockhart, ii. 41.

⁴ Lockhart, ii. 49.

⁵ Lockhart, ii. 76-78.

⁶ Lockhart, ii. 93, 94.

⁷ Grub, iii. 386, 387.

⁸ Lockhart, ii. 95.

- ⁹ M'Kerrow, pp. 326-331.
- ¹⁰ Grub, iii. 388, 389.
- ¹¹ Lockhart, ii. 101, 102.
- ¹² Lockhart, ii. 112.
- ¹³ Lockhart, ii. 117.
- ¹⁴ Lockhart, ii. 124.
- ¹⁵ Lockhart, ii. 124-128.
- ¹⁶ Lockhart, ii. 131.
- ¹⁷ Lockhart, ii. 152.
- ¹⁸ Lockhart, ii. 232.
- ¹⁹ Lockhart, ii. 289.
- ²⁰ Lockhart, ii. 310, 311.
- ²¹ Lockhart, ii. 322-329.
- ²² Stair Annals, ii. 148, 149.
- ²³ State Papers, Foreign, France, vol. 168.
- ²⁴ Glover, Stuart Papers, Appendix, pp. 67, 68.
- ²⁵ Glover, Stuart Papers, Appendix, p. 71.
- ²⁶ State Papers, Foreign, France, vol. 168.
- ²⁷ Glover, Stuart Papers, Appendix, pp. 3, 4.
- ²⁸ For Atterbury's letters of April 20, O.S., see Stuart Papers, Appendix, pp. 11-14.
- ²⁹ For Atterbury's letters of April 20, O.S., see Stuart Papers, Appendix, pp. 16, 17.
- ³⁰ State Trials, xvi. 444, 445.
- ³¹ State Trials, xvi. 377, 378.
- ³² The Hon. Stuart Erskine, in his Introduction to 'The Earl of Mar's Legacy,' writes: "What real grounds Atterbury had for believing that Mar had betrayed him to the Government it is impossible to say, nor is he able to divulge them in his private correspondence, which has been printed." Mr Stuart Erskine does not make any reference to his letters on the subject in Dr Glover's volume of Stuart Papers. Lord Mar's Legacy, Scottish History Society.
- ³³ Glover, Stuart Papers, Appendix, pp. 74, 75.
- ³⁴ Mahon, ii. 88.
- ³⁵ Glover, Stuart Papers, Appendix, pp. 88-92.
- ³⁶ Lord Mar's Legacy, pp. 228-235.
- ³⁷ Lord Mar's Legacy, *ut supra*, p. 153.
- ³⁸ Lord Mar's Legacy, *ut supra*, p. 210.
- ³⁹ Lord Mar's Legacy, p. 200. Article 29. James's reply, *ibid.*, p. 210.
- ⁴⁰ Lord Mar's Legacy, p. 152.
- ⁴¹ Lord Mar's Legacy, p. 235.
- ⁴² Lord Mar's Legacy, p. 154.
- ⁴³ Hill Burton, viii. 344.
- ⁴⁴ Glover, Stuart Papers, p. 101.
- ⁴⁵ Glover, Stuart Papers, Appendix, p. 64.
- ⁴⁶ Glover, Stuart Papers, Appendix, pp. 64, 65.
- ⁴⁷ Hill Burton, viii. 344.
- ⁴⁸ Glover, Stuart Papers, Appendix, pp. 100-105.
- ⁴⁹ Letters of Inverness in Gualterio MSS. Cf. "Queen Clementina," by Miss Alice Shield, 'Dublin Review,' cxxii. 304.
- ⁵⁰ Cf. "Queen Clementina," by Miss Alice Shield, 'Dublin Review,' cxxii. 305.
- ⁵¹ Stuart MSS., Windsor.

- ⁵² Gualterio MSS., Add. MSS., B. M., 31. 263. No date.
⁵³ 'Dublin Review,' *ut supra*, pp. 309, 310. I have read Caryll's letter in MS.
⁵⁴ Glover, Stuart Papers, p. 314.
⁵⁵ Duke of Portland's Papers, vii. 407, 408; Historical Manuscripts Commission.
⁵⁶ Duke of Portland's Papers, vii. 63; Historical Manuscripts Commission.
⁵⁷ Lockhart, ii. 220.
⁵⁸ Stuart MSS., Windsor, April 1735.
⁵⁹ Stuart MSS., Windsor; Lockhart, ii. 246-250.
⁶⁰ Lockhart, ii. 257.
⁶¹ Lockhart, ii. 257-259.
⁶² Lockhart, ii. 265, 266.
⁶³ Lockhart, ii. 274, 275.
⁶⁴ Lockhart, ii. 340.
⁶⁵ Lockhart, ii. 343.
⁶⁶ Lockhart, ii. 373, 374.
⁶⁷ Lockhart, ii. 400.
⁶⁸ Lockhart, ii. 134.
⁶⁹ Wodrow, Analecta, iii. 211; Lockhart, ii. 162.
⁷⁰ Wodrow, Analecta, iii. 212.
⁷¹ Culloden Papers, pp. 86-88.
⁷² Culloden Papers, pp. 88-91.
⁷³ Culloden Papers, p. 96.
⁷⁴ Lockhart, ii. 164; Wodrow, Analecta, iii. 218.
⁷⁵ Wodrow, Analecta, iii. 216-226.
⁷⁶ Wodrow, Analecta, iii. 226.
⁷⁷ Wodrow, Analecta, iii. 232.

CHAPTER XV.

LIFE IN THE HIGHLANDS.

1715-1745.

THE history of Scotland till the Reformation is the history of the struggle for independence as against England. Throughout, Scotland is the ally of France, and England finds intermittent allies among the Celtic clans. After the Restoration, the struggle—Jacobite, Tory, and Presbyterian—is against union with England, but the Presbyterians prefer the Union to a Catholic king. In this strife the clans are the allies of France; the Lowlands, though reluctantly, lean on prelatical England. History, therefore, turns to the North, to the Celts, and their essentially unchanged society of chief and clan. The Highlanders were presently to deal the last blow in the long battle, true to the lost Cause, to the Royal race which of old they had resisted in the interest of what had been, and continued to be, their own cause, their old Celtic ideas, customary laws, and conditions of non-industrial life. We have accounts of the state of the Highlands, in the period at which we have arrived, from General Wade, from Lovat, and from an English resident in Inverness, author of ‘Letters from a Gentleman in the North of Scotland.’ From internal evidence he wrote in 1736-1737.¹ Wade’s commission to examine and report on the state of the Highlands was given in July 1724. He was to see how far the facts tallied with a report from Lovat.²

Lovat remarked on the peculiarities of the Highlanders, their lack of commodities,—their wealth was solely in cattle,—their speech, their dress, their illiterate ignorance (which he encouraged by suppressing schools in his bounds). He spoke of their clanship (the one honest thing of which, in fact, he heartily approved) as

"affectation." Examples of this affectation were the loyalty of the Frasers to himself when proscribed, and of clan Maclean to their dispossessed and long-exiled chief, Sir John Maclean, who led 400 of the clan at Sheriffmuir against their actual landlord, Argyll. Law is practically powerless; clan feuds still rage. The clans are partly Whiggish; but the chiefs on the Whig side in 1715 "have felt the displeasure of those in power in Scotland,"—the *Squadron*, Lovat means. The great evil is "the continual robberies and depredations in the Highlands and the country adjacent." The thieves cannot be pursued and brought to justice. Addiction to robbery of cattle encourages the general wearing of arms. Extreme severities, the old law of Fire and Sword, only provoked anger and resistance. Owners of cattle to protect themselves paid "Black Meall," which was levied "much in the same manner as the land tax now is." So far the best remedy has been the raising of Independent Companies of Highlanders, officered by well-affected gentlemen. Of these companies the author of 'Letters from the North' expresses extreme suspicion: they will one day serve a cause which is not that of Hanover. Meanwhile the Companies, from their local knowledge, and, doubtless, from their clan animosities, were useful in tracking and recovering stolen cattle.

After 1715 an attempt was made to disarm the country, but only the clans loyal to England were disarmed: the others handed in useless old weapons. The Independent Companies were "broken" in 1717, and Lovat lost his own—a great grievance. Black-mail is now more than ever extorted, even in the lowlands of the shire of Ross. Regular troops from the various forts, easily distinguished by their uniform, were of no use against the robbers. The sheriffs have often been ignorant, and men of no social position, or disaffected. Two were out in 1715, and now, *proh pudor!* exercise authority over the loyal Lord Lovat. There is hardly any regular commission of Justices of the Peace. Such are the observations of Lovat, tending to not much, except to the restoration of his Independent Company, and to a Lord-Lieutenancy for himself.

Wade represents the fencible men of the Highlands and Isles at about 22,000, half Whig, half Jacobite. Their virtues are servile devotion to their chiefs and loyalty to their clans. They regard the Lowlands as of right their own, and their depredations as recovery of their own. Their arms and tactics are familiar, and

their use of the Fiery Cross. The worst robbers are the Camerons (reclaimed by the gentle Lochiel), the Mackenzies, the Keppoch Macdonalds, the Breadalbane Campbells, and the Macgregors. So weak is the law that, in four years, only one person has been hanged at Inverness,—a circumstance shocking in a Christian country. *Tascal* money used to be paid to traitors among the robbers, but all Clan Cameron swore on a dirk not to take *tascal* money. One man suspected of it was hanged outside his own door by his own people in 1723. Some 6000 muskets, brought to Glenshiel in 1719, are still ready for active service. The Independent Companies were serviceable, as Lovat says; but some of their commanders, Wade hears, kept their companies at half strength and pocketed the pay of the other half,—an unworthy proceeding. Wade thinks little of the forts, which are insufficiently manned. What Lovat says about the sheriffs is true. Seaforth's rents are regularly levied, and sent to him in France. Wade proposes the reconstitution of Independent Companies under the governors of the forts, who ought to reside at their stations; the erection of barracks at Inverness; the placing of a ship in Loch Ness; the quartering of cavalry between Perth and Inverness, with Quarter Sessions held at Fort William, Killyhaimen, and Ruthven in Badenoch. The heritors, not the injured prosecutors, ought to pay for the maintenance of prisoners in gaol.

In the Whig clans Argyll could raise 4000 men, Lovat 800, Forbes of Culloden 200,—in all, with Mackays and Monros, 8000. The Atholl men, dubious, are 2000; the Breadalbane men, 1000. Sir James Macdonald of Sleat could find 1000, and Macleod as many: they stayed at home, or took the English side in 1745. Glengarry had 800, the Moidart men (Clanranald) were as many; Lochiel had 800. The Macleans are not mentioned: about 250 of them fought like Spartans at Culloden. Setting aside the Atholl men—very reluctant warriors in 1745—and the Breadalbane men, the forces of the clans are almost equally divided. The Grants were inclined to neutrality. We find that the Earl of Sutherland is the pluralist at whom Lovat hints, being Lord-Lieutenant of eight counties, including the shire of Inverness. He had, as events proved, but a small following.

In January 1725-26 Wade reported on his efforts in the Highlands. As commanded, he had marched troops to Brahan Castle and disarmed Seaforth's clan with ease, for Seaforth, after the

collection of his rents for him was stopped, was impecunious, angry with James, himself in poverty, and addressing that prince in a tone to which, as James mildly remarked, he was well accustomed in his situation. Seaforth was now anxious to be pardoned by George and to return home. Henceforth the Mackenzies were lost to the Cause as a clan: in 1715 the waverings of Seaforth had done harm to the Cause, while involving himself and his name in distress. These circumstances caused the clan to be predatory, as Wade reported. On Seaforth's reconciliation to Government they became the victims rather than the agents of cattle-raiding.

In other respects Wade had acted on orders given in compliance with his own suggestions, behaving "mildly and moderately." His report on the Malt Riots at Glasgow represents, of course, the military, as Wodrow's and Lockhart's accounts represent the popular, view. Bushell, the captain of the hundred men who fired on the mob, appears as "a careful and diligent officer." The mob was got together by women, or by men in women's clothes, beating drums, and crying, "Drive the dogs out of the town! We will cut them to pieces!" Many soldiers were hurt, and bayonets and locks of muskets broken by the stones thrown. Their powder, or part of it, had been seized, and was distributed to the second mob which collected after the firing. The mob lost ten men killed, seventeen wounded; six soldiers were missing and hurt: their linen, shoes, and hose were taken. Wade kept down the other large towns by sending troops to them. The released Glasgow magistrates were welcomed by "great numbers of the Kirk, riding on each side their coach."

The Lowland turmoils did not affect the clans: the Mackenzies asked leave to surrender their arms, "as they had always been reputed the bravest" of the clans (what did the others say to this?), to English veterans, not to the newly raised Independent Companies. At Brahan several clans mustered and laid down swords and muskets. At Fort William, Glengarry's, Clanranald's and Glencoe's men, with the Camerons and Appin Stewarts, submitted. The Macphersons and Gordons came in at Ruthven of Badenoch. The Companies were drilled with the Regulars and sent to their stations: Lovat's Company ranged from Skye to Inverness. The Atholl and Breadalbane clans followed suit. Yet but 2685 examples of various weapons were given up. Black-mail was no longer paid, and robberies were few. In fact, our

information shows that, save for the Macgregors, some Rannoch people, and Barisdale's men, honesty became the rule among the clans. Many rebels of long standing accepted pardons, and the roads were begun which have made General Wade famous. By a curious point of honour the soldiers blasted or removed huge boulders, instead of avoiding them. Under one great rock was found a prehistoric interment. The Highlanders removed the remains, buried them, and fired over them a salute of honour—whence got they the muskets? The author of 'Letters from the North' tells this anecdote: he erroneously supposed the interment to be Roman. It is hardly necessary to say that some of the chiefs who now came in were out with their clans twenty years later; or, if they stayed at home, their clans followed their kinsmen. As for arms, when they lacked them they took them from the English veterans. There was, however, much appearance of peace in the Highlands, though Lovat had other ideas working in his busy brain.

For the social state of the North we turn to the well-known 'Letters from the North,' edited by Jamieson, the ballad collector. His notes do their best to expose the errors of an English observer, but the copy which lies before the writer is covered with furious marginalia by some excitable patriot of the nineteenth century. The author of the 'Letters' is a reasonable Englishman enough, dwelling in a country of manners interesting to him from their strangeness. On many points even the least educated patriot must confess his fairness. The Highlanders, he says, are not indolent, but anxious for employment, and honest and energetic when employed. He hates Lovat, and warns his correspondent that "as our letters are carried to Edinburgh the hill-way, by a foot-post, there is one who makes no scruple to intrude, by means of his emissaries, . . . so jealous and inquisitive is guilt."³ The gaol of Inverness, he says, is very open to the exits of clansmen: the greatest part of the prisoners make their escape. Not so the prisoners of "a neighbouring chief," whom he crimps for the colonial labour market. They *may* be thieves, or merely "troublesome fellows," who are got rid of at a profit. Lovat is aimed at throughout. He keeps his clansmen poor, and discourages them from putting their sons to learn trades.

The author has much to say about the prevalence of a cutaneous disease, which, quite certainly, was very common. The state

of a Highland hut in winter, the paths blocked with snow, the inmates blackening in the peat smoke, recalls accounts of Eskimo life. In winter, as of old, the salt meat prepared at Martinmas lasts for six months; and this is general, we are told, in Scotland. Game, however, is so plentiful as to make sport uninteresting, and there is abundance of salmon and of trout. The people will not taste either eels or pike: both remain almost taboo in Scotland. The mutton was excellent, the fowls so ill-fed as to be of no value. "Roots and greens" were to be had "in abundance and in great perfection." Strange to say, the townsfolk neither shot nor fished, but spent their time in a wretched coffee-house playing backgammon for half-pence. It is needless to dwell on our author's description of the dirt of both Highlands and Lowlands. By an exception the linen, home-made, was very good and clean, even in bad inns. Bordeaux wines were cheap and excellent: port could not be obtained, but this amateur disliked port. He did not care for the Presbyterian sermons,—all about grace, freewill, and predestination. "They might as well talk Hebrew to the common people, and I think to anybody else." In the Lowlands nobody knew more about predestination and freewill than the common people: generation after generation had been made familiar with these topics, so much more edifying than cold moral discourses about their duties. A well-dressed woman in church was in danger, we are told, of ministerial rebuke. "The minister looks upon a well-dressed woman as an object unfit to be seen in the time of divine service, especially if she be handsome." "Their prayers are more like narrations to the Almighty than petitions for what they want, and the *sough*, as it is called (the whine), is unmanly, and much beneath the dignity of their subject."

"Behold," said one preacher, "the particular wisdom of our institution in ordaining the Sabbath to be kept on the first day of the week, for, if it were any other day, it would be a *broken week*." Over a dram or glass of ale they said a long grace, even as when Sir James Turner, in 1666, entertained the ministers among his Covenanting captors that he might hear this performance. "Sabbath observance" was much what it still is in remote parts of the Highlands. The Episcopalians, if not in Government employment, were all Jacobites, and their ministers were all Non-jurors, save in an Aberdeen chapel, where the people deliberately took snuff, or otherwise showed lack of reverence,

when King George was prayed for. Episcopal ladies went to their chapels with a pleasant aspect, in Edinburgh, "through an accumulation of the worst kind of filth," and came out with cheerful countenances: the Presbyterians "look as if they had just before been convicted and sentenced by their gloomy teachers."

Wages, at harvest, were paid in kind, or if in money, amounted to twopence or threepence daily, and food. Wheat was scarcely grown in Ross: the oat-cakes were much better than the black bread of the labourers in parts of England. But there was scarcity, and even dearth, of oatmeal in Inverness if ships were retarded on their way thither.

As to the west coast, a familiar anecdote is told of how the Glengarry gentry assaulted the manager of an English foundry, and how professional jealousy induced a Highlander to try to murder an English smith. In 1728 Mr Rawlinson, from Invergarry, informs Forbes, Lord Advocate, that two of his men have been murdered by a villain, who is detained in barracks, as from Inverness gaol he would probably escape, as usual. This Rawlinson is said, on evidence published sixty years after date, to have introduced the philabeg, or short separate kilt, in place of the portion of the plaid that used to form the skirt over the thighs.⁴ The story is disputed by some archæologists, on the testimony of old representations in works of art.

The roads, "before they were made," were dangerous bridle-paths, and a bridge over a roaring torrent might consist of two felled fir-trees. People rode little, except on the tiny native garrons or Celtic ponies, which were sure-footed. They ran wild on the hills till of considerable age, when they were hunted and secured. The Highlanders held that they descended from horses of Spanish importation; but the Celtic pony has a much longer pedigree, and strikingly resembles horses etched on bone by the palæolithic artists of the reindeer period in France.

Agriculture was peculiar and distressful, for the people were living in what may be called the Wooden Age. In the 'Iliad' we learn that there were iron smiths attached to remote farms, and that the Achæans could work their own agricultural implements in iron without going to the distant town.⁵ Some gentlemen in the Highlands had their own smith and stithy, but, as a rule, "almost all their implements of husbandry, which in other countries are made of iron, or partly of that metal, are in some parts of the

Highlands entirely made of wood, such as the spade, ploughshare, harrows, harness, and bolts; and even locks for doors are made of wood.”⁶ “The soil of the corn-lands is, in some places, so shallow, with rocky ground beneath it, that a plough is of no manner of use.” In deeper soil they ploughed with four ponies abreast; the driver walked backwards, in front of the ponies, steering them, so that the share might avoid sunken rocks. In winter, when oatmeal began to fail, they bled their cattle, boiling the blood, or making it, with a little meal, into cakes. “I do not remember to have seen the least spot that would bear corn uncultivated, not even upon the sides of the hills, where it could be no otherwise broke up than with a spade.” Manure was extremely scarce, and hay almost unknown. In the straths, agricultural conditions must have been much better, but the author is speaking of nooks in the mountains. The work in harvest was mainly done by women: a woman and a girl would labour for a fortnight at a single field. If this be true,—and one suspects exaggeration,—the Highlanders could more easily leave their harvesting, as they did, “to follow Prince Charlie.” The prejudice of *gentrice* (gentle blood) was opposed to industry among the men. For mills they mainly used the ancient hand-querns, two circular stones. Lochiel attempted to introduce water-mills in Lochaber, but the distances were too long for the carriage of corn to the mills, and little advantage was taken of them. In summer the cattle were driven to high grazing spots, where the people lived in sheilings, “much worse huts than those they leave below.” The cottages, at best, were much like those which were still to be seen in Ardnamurchan lately; more like large birds’ nests than places of human habitation,—the fire in the middle of the room, the chimney a hole in the roof. The ruins of Rob Roy’s cottage in Glen Shira prove that it was not much more palatial. An extract from a rent roll shows a cotter paying, in English money, 5s. 10½d., three pounds of butter, a little oatmeal, and three-sixteenths of a sheep.⁷ The landlord had hypothec on the corn of the year, and might seize it for arrears of rent: rent was remitted about one year out of five.

Poor as they were, the families contended for the fosterage of sons of chiefs: the ancient Celtic laws of fosterage are given in the Irish ‘*Senchus Mor*.’ The custom of thus bringing up children apart from their families is not Celtic only, it even occurs in Melanesia; but it lingered very late in the Highlands, the relations

of foster kin being very close and valuable to both parties. In such poor conditions were reared the hardy men who broke the British ranks at Prestonpans and Falkirk, and who, if not exhausted by hunger and toil and distracted by clan jealousies, might have done the same at Culloden. It seems strange if, with game, trout, and salmon abundant, many of the peasant population did not live better than we gather from these accounts. The letting of land by the chiefs seems still to have been arranged much on the ancient lines of the Geil Finne. Sir Walter Scott possessed a manuscript of the Gartmore family, or had a transcript thereof, which Jamieson published with 'Letters from the North,' acknowledging his obligation to Scott. Every reader sees that Bailie Nicol Jarvie's account of the economics of the Highlands in 'Rob Roy' is a humorous paraphrase of this manuscript. The author says that lands are set on a "short tack," or at pleasure, to the near kin of the chief. "They, their children, and grandchildren, possess at an easy rent till a nearer descendant be again preferred to it. As the propinquity removes, they become less considered, till at last they degenerate to be of the common people. . . ." Lovat was fond of recognising and proclaiming his kinship even with the humblest,—one source of his power among his clan.

The "good men," or tacksmen, kept on their holdings large numbers of cotters, each with a hut, grass for a cow or two, and as much rough land, mainly unarable, as will sow about a boll of oats, under spade tillage. Sometimes, on the old "steel bow" principle, the tacksmen stocked the land with cattle, for which a very high rent was paid to him. Thus the chiefs "affect state," the tacksmen "acquire a habit of chicanery," and "the common people are abandoned to all licentiousness,"—a Lowland view not otherwise confirmed, as far as "licentiousness" is concerned: probably indifference to the law of *meum* and *tuum* in cattle is intended.⁸ As to personal property, the Highlanders were notably honest, and travellers were infinitely safer than in the neighbourhood of London. As for *creaghs* (cattle raids), the Lowlanders of the Border had lately been in no case to throw the first stone at the Highlanders.

"If every man had his ain cow,
A right poor clan your ain would be,"

says the old taunt against the House of Buccleuch. To the prevailing poverty and "congested" condition of holdings, each over-

populated, the Gartmore author attributes the cattle-raiding, while absolute dependence on the chiefs encourages feuds and Jacobitism. "Every place is full of idle people, accustomed to arms, and lazy in everything but rapines and depredations."⁹ There was no other outlet for energy. Towns could not exist for lack of supplies in the absence of means of transport, and manufactures were impossible. Whisky shops were common: any one who chose could keep a still, and men led idle lives, drinking and swaggering. The Gartmore author is writing so late as 1747, and complains that the old Scottish kingdom could not, and Government since the Union did not, reduce the Highlands to the norm of European society. The risings of 1715 and 1719 left germs of unsettled and lawless life, cultivated by Rob Roy, whose career is too familiar to need description, while the proceedings of Macdonnell of Barisdale belong to a period just before 1745.

This author, on a rough calculation, reckons the fighting men of the Highlands, from the ages of eighteen to fifty-six, at 57,500. This is more than double, is nearly triple, the estimate of Wade twenty years earlier. All the agriculture and fishery can be done by half the actual population. Half of the people are unemployed, "living an idle sauntering life among their relations," or upon black-mail. In cattle-raiding, or recovering raided cattle, they acquire a guerilla education—speed, cunning, skill in ambush and surprise—which makes them dangerous to regular troops. The whole loss from robbery, black-mail, recovery, and understocking may be £37,000 yearly. The Independent Companies cost little less than the land tax, and the captains of companies are apt to be a kind of Jonathan Wilds. Half the men steal, that the other half may be employed in recovery. "Whoever considers the shameful way these watches were managed, particularly by Barisdale, and the Macgregors in the west ends of Perth and Stirling shires, will easily see into the spirit, nature, and consequences of them." The poverty and filth of the huts is eminently prejudicial to dairy work, and the author of 'Letters' enlightens us as to the colour and quality of the butter.

Young Highlanders, with commissions in French and other foreign armies, return home every year or two and recruit for France or Spain. The country thus becomes rich in trained soldiers, and the Norman masters of ships know the West Highland coast "fully as well as any British sailor." The Non-juring and Catholic

clergy keep up the Jacobite spirit, and everything in the conditions of life sustains it. The Presbyterian clergy are negligent in their duty, and are subdued by their surroundings. Such are the sentiments of a writer who, probably, lived on Graham property near the active Macgregors. It appears that the policy of Wade had been remissly executed, and 1745 found Government in little better case, as against a Highland rising, than in 1715.

Life in the Highlands for the clansmen in general would seem not worth living, if we judged by the reports of that observant "pock pudding," the author of the 'Letters.' But at least it was a life of nature, spent mainly in the open air, and in a country to the beauty whereof the inhabitants were keenly sensitive. Like most dwellers in mountainous countries, they are devoted to their homes. "Do not be thinking of us too much," said a poor Highland woman lately to her son, who was going to live in a town, "or I will be seeing you in the gloaming." The poetry of the Gaelic makers in the eighteenth and nineteenth centuries is as rich in the love of nature as the Finnish 'Kalewala.' A people capable of this great and ennobling pleasure is not necessarily unhappy because it is poor.

In the generation following the 'Forty-five, a Lowlander on the fringes of the Highlands, Mr Ramsay of Ochtertyre in Stirlingshire, left a valuable account of Highland as well as of Lowland life in the eighteenth century.¹⁰ He remarked on the indifference of the chiefs to their clan bards: of old they had held a place as honoured as that of Demodocus at the Court of Phæacia in the 'Odyssey.' The duties of bard and harper had long been separated, but both poets and harpers had begun to die out before the Revolution of 1688. "Nothing damps the poetic fire more than the coldness of the great;" without an Alcinous there is no Demodocus. The popular poetry and music flourished after the poetry of the little Courts decayed. The piper had still his plot of land, and sometimes even a salary. There is much legend concerning the hereditary piper of the Macleods, the second-sighted M'Rimin (or M'Rimmon), who, as Theophilus Insulanus (a Macleod) tells us, foresaw his own fall in the Rout of Moy (1746),—

"The rest shall come back, but M'Rimin shall never,"—

and was also noted as marked for death by another second-sighted

man. He, or one of his family, composed a song which, it seems, is not forgotten in the Highlands—

“Oh for three hands!—
One for the claymore and two for the pipes.”

The words were quoted to the writer by a Highlander in Mull, *à propos* of the legend of the piper lost in Mackinnon's cave, assailed, it seems, by the unknown dwellers in that place. Ramsay points out that the kindliness between chiefs and vassals, though maintained by Lovat for interested purposes, greatly profited the commoners. “They formed themselves on the model of their superiors, and endeavoured to adopt their manners and sentiments. And hence that class of men in the Highlands have always been more courteous and intelligent, more gallant in their manners, and more scrupulous about personal honour, than persons of that humble station in other countries.”

As to “personal honour,” there is nothing to choose among honest men; but Lowlanders familiar with the Highlands know that there can nowhere be found more intelligent and well-read companions, or more interesting narrators of legend, than among the Highlanders. Ramsay also praises their antique hospitality,—a virtue not confined, in Scotland, to the north of the Highland line. More remarkable, in the eighteenth century, was “their kindness to mariners shipwrecked on their coast.” They were no wreckers, in an age of wreckers, but, if a vessel was seen in distress, sent out boats for her rescue, and did their best, unlike the eastern people, “to secure the cargo for the owners.” The unfortunate sufferers are afterwards billeted, according to their rank, on the neighbouring families till they are in a condition to proceed homewards. It is unnecessary to quote Martin with regard to a fact universally known. In this respect the Highlands were by many years ahead of the civilisation of many parts of southern Scotland and England, where a wreck was accounted fair prize, and even the lives of the shipwrecked, if we may believe a St Andrews legend of the eighteenth century, were in danger.

There was a popular culture, which modern education destroys without providing a humanising substitute. “The whole family, seated by a cheerful fire, contrived to pass the long winter nights with pleasure,”—of which the author of the ‘Letters’ had no suspicion,—“without the aid of books, . . . telling tales of other

times. . . . The old men communicated with the utmost care their histories and traditions to the rising generation, as they had received them from their fathers, and nothing could exceed the avidity with which young people sucked in and retained this interesting information." From the abundance of historical and fairy legend still to be gleaned in the Highlands, it is plain that this excellent custom has not wholly ceased. In Glencoe the historic events, from the clan battle over the cheese to the Massacre, and the story of James Stewart, Allan Breck, and the murder of Glenure, are still known and narrated with minute fidelity. The poetic tales are not forgotten. "The women were passionately fond of them, regarding the martial virtues as essential in a son or a lover. . . . These precepts and examples, which are set before them in the engaging dress of poetry, aided by congenial music, teach them that generous contempt of danger, and even of death, to which the common people of commercial countries seldom attain till they have been thoroughly disciplined and familiarised to war." In fact, of course, the highest courage is daily shown, among the perils of civil life, by "common people of commercial countries,"—miners, policemen, railwaymen, and generally. But on the sudden appearance of war the Highlanders were at once equal, or even superior, to trained veterans, which was due to the nature of their unbookish but valuable education.

Ramsay also admired the Gaelic *sgealachda*, or romantic *Märchen* in prose. "One cannot forbear a wish that some of the best and most striking ones were collected and faithfully translated before they be irrecoverably lost." Fortunately the tales have been collected and translated, by the exertions of Campbell of Islay ('Popular Tales from the West Highlands'), and, later, of Lord Archibald Campbell and several of the clergy in the Highlands. Another trait of popular culture was the singing of *luinneags*, or songs of labour, during harvest, while making homespun cloth, and on other occasions. The author of the 'Letters' alludes briefly to these chants: in Finland they make a considerable part of the so-called "national Epic." The practice of singing *luinneags*, each woman contributing her stave to the poem, is not extinct in the remoter Hebridean islands, such as Eriskay. Perhaps the second-sight did not add to the cheerfulness of life, but it contributed to the topics of interest. As Ramsay remarks, it is not peculiar to the North, but it still is more frequently observed on by High-

landers than Lowlanders. People believed in it "from the striking conformity betwixt the presage and its accomplishment, a species of evidence that is almost irresistible." Ramsay gives some examples among educated and well-born percipients, adding, inconsistently, "it is certain that hardly any are said to possess this faculty but the illiterate, the ignorant, and the superstitious." This was not then, and is not now, the truth of the matter. Ramsay somewhat blames the clergy for not having preached down second-sight. Mrs Grant of Laggan mentions a minister who tried to do so, but abstained after a vision of his own, and more than one excellent minister of to-day has the same reason for not thundering against the belief.

It was, perhaps, a mark of illiteracy that the old tombstones, even of chiefs, often bore no inscription. A potter's daughter in Athens, of the seventh century before Christ, has her written epitaph on her *stèle*; not so the Gaelic warriors. "An epitaph could have contributed little to fame, since the persons in whose esteem the dead man wished to live could seldom read." In Ramsay's own time the Highlanders were usually content with plain uninscribed gravestones by force of habit, "but wherever Lowland manners preponderate, inscriptions are adopted." Inscriptions, in fact, testify not merely to the existence of writing, but of the general diffusion of the power of reading. The right estimate of Highland happiness is to be derived, not from the conditions of life as judged by ourselves, but from the way in which the people viewed these conditions. The imprisoned Lady Grange found St Kilda "a vile, poor, nasty isle," very naturally. But the natives, in their feast at the end of the fishing season, used to sing, as they danced a reel, "What more would we have! There is store of *cuddies* and *sayth*, of *perich* and *alachan*, laid up for us in Tigh-a-bharra."

The remote and inaccessible nature of the Highlands, where the law had never run, rendered possible the famous tragedy of Lady Grange. The Highland chiefs, in ancient days, had their own modes of disembarassing themselves of inconvenient wives, as in the case of the Campbell wife of Maclean, who was exposed on the Lady Rock in the Sound of Mull. The success of that experiment did not invite a repetition thereof, as the lady escaped, and her husband was slain in Edinburgh by one of her near kinsmen. But Robertson of Struan, the eccentric Jacobite fighter and versifier, had nothing to fear from any one when, in

the eighteenth century, he relieved himself from the society of his own sister.

As Ramsay tells the story, the estate of Struan was conveyed, after 1715, "to his sister, Mrs Margaret, for behoof of him and his creditors. . . ." He was pardoned in 1725, and "upon his return to Rannoch he took the estate entirely into his own management, turning his sister out of possession, and treating her in a manner no less unnatural than illegal." In a footnote is added: "He first imprisoned her on a small island at the head of Loch Rannoch, on which there was no house; then he sent her to the Western isles, where she died in misery. His companions said in his defence that she was both an imperious and a wretched woman, but that surely did not mend matters. . . . She was the daughter of General Baillie, of whom it is alleged that, to secure the succession, she had an active hand in starving her own brother." Perhaps Struan was resolved that she should not starve him. The anecdote is confused: Struan was her brother, and certainly was not starved to death.¹¹ The lady's case is a kind of rehearsal preparatory to the tragedy of Lady Grange, in which Lowlands and Highlands combined to work iniquity.

The story of Lady Grange reveals a much more extraordinary state of society than can be gathered from the brief sketch given by Mr Hill Burton in his 'History of Scotland.'¹² We find ourselves among people apparently reckless of social order, or subdued by dread of persons of importance and influence. The wife of Mar's brother, James Erskine, bearing as a Lord of Session the title of Lord Grange, was Rachel Chiesley, daughter of that ruffianly Chiesley of Dalry who murdered the Lord President, Sir George Lockhart of Carnwath, in 1689. Lady Grange says herself, "He loved me two years ere he got me, and we lived twenty-five years together: few or none I thought so happy."¹³ The pair had eight children. Lady Grange admits that "there is no person but has a fault; but ought he not to forgive me?" As her "only crime is loving her husband too much," it seems that, in her opinion, her fault was jealousy. Lord Grange, in that case, could not possibly agree with his wife in thinking that "few or none were so happy" as he and she. Probably he was miserable when in her company, and as frequently absent from her as possible: he often visited London.

We have a most curious account of Grange's household from

Dr Carlyle, minister of Inveresk. At the time when the trouble came to a head Carlyle was a little boy of ten, very familiar with the young Erskines, Lord Grange being the patron who brought his father from Annandale to be minister at Prestonpans. Carlyle heard then, or probably later, that in London Grange had a mistress, Fanny Lindsay, who kept a coffee-house in the Hay-market. Lady Grange found this out, and was the more outrageous. Grange did his best to soothe her,—“gave her the whole management of his affairs.” He was a versatile person, devoted to gardening, and he constructed labyrinths and groves which people came from Edinburgh to admire. He often visited Carlyle’s father, staying late in the night, “settling the high points of Calvinism, for their creed was that of Geneva,” and of the Kirk. They prayed alternately for several hours before supper, “and did not part without wine,”—a good deal too much was drunk, as Mrs Carlyle suspected. But her son thought that Grange was chiefly anxious to avoid his wife. In their house, when Carlyle, as a child, played with their children, they always set a sentinel at the door of their room, “lest my lady should come suddenly upon us, which was needless, as I observed to them, for her clamour was sufficiently loud as she came through the rooms and passages.” Carlyle describes her as “gorgeously dressed ; her face was like the moon, and patched all over, not for ornament, but for use. For these eighty years I have seen nothing like her but General Dickson of Kilbach,” a grog-faced veteran. She reminded Carlyle as a child of the Great Scarlet Lady of Babylon, “with whom all well-educated children were acquainted.”

Such was Lady Grange, a terror and a termagant, soon to be parted from her gorgeous raiment. Grange himself would desert the manse for half a year at a time, absenting himself entirely from church, and, as was believed, enjoying himself in a profane manner. Carlyle thought that he was really as sincere in religion as in debauchery, having seen him “drowned in tears during the whole of a sacramental Sunday.” He had also, later (1741), heard Grange and Lovat dispute as to which should say grace at a tavern dinner, Grange “very observant of Lovat, and doing everything to please him,” as indeed Lovat had greatly obliged him in a very intimate matter. They ended by dancing a reel with the daughter of the house, a girl of easy virtue, but conveniently handsome. Lovat’s young son, a boy, was present at this orgy,

which ended in a pavilion of Grange's, where he was supposed to entertain ladies less awful than his wife. Here he kept his books on dæmonology and witchcraft. The night ended "with a new deluge of excellent claret."¹⁴

As we now understand the charming ways of Lord and Lady Grange, it is not so strange that he endeavoured to get rid of the lady as that he was permitted with complete impunity to take the steps he did, though the facts were publicly known, and, if we believe Lady Grange, with the connivance of the leading Jacobite chiefs of the clans. How far we are to believe her is another question, but she certainly makes her narrative as substantial as possible. That Lady Grange really made herself intolerable there can be no doubt. Eight years after Lord Grange removed her to a very considerable distance, St Kilda,—

"Set far amid the melancholy main,"—

he reminded Mr Hope of Rankeilour of her behaviour when a separation had been arranged by friends of both parties. "She often attacked my house, and from the streets and among the footmen and chairmen of visitors cried and raged against me and mine, and watched for me in the streets, and chased me from place to place in the most indecent and shameless manner, and threatened to attack me on the Bench," causing him great anxiety for the peace of the honourable Court of Session.¹⁵ This must have been true, nor did Hope contradict it.

The unhappy relations between husband and wife were generally known as early as July 1730. Wodrow then confided to his note-book that "things have been very dark" in the family of his great and devout friend since Lady Grange took up a jealousy of him, and "had spies upon him in England when last there about his son's process of murder." As the grandson of a murderer, young Mr Erskine may have followed in the ancestral path: they were a remarkable family. Lady Grange in her jealousy intercepted her lord's letters, "and would have palmed treason upon them." The story was that she took them, with a Jacobitical interpretation of the texts, to the Lord Justice-Clerk. There was "no shadow for the inference"; but as Grange's letters were to Lord Dun, and as Lord Dun was intimate with Lockhart of Carnwath, perhaps there may have been ground for suspicion. In June, Wodrow heard, Grange could no more suffer his wife's temper and habit

of drinking. She left his house, and he did not recall her, "since sometimes she attempted to murder him, and was innumerable ways uneasy." Lady Grange knew that her husband accused her of trying to kill him, and warmly denied the fact. Lady Grange now "gave in a Bill to the Lords," stating her case and demanding maintenance. She got a hundred a-year, and promised to live separately. Wodrow hoped that the stories told against Lord Grange were calumnies: he was, indeed, a very good man, and a great opponent of ecclesiastical patronage, wishing to "lodge all in the hands of the Christian people and communicants."¹⁶

We now give Lady Grange's own narrative. Writing to the Solicitor-General, Charles Erskine of Tinwald, from her captivity at St Kilda in 1738, she does not so much ask for legal redress of her intolerable wrongs as for peace to be made between herself and her husband. "I pray God to incline your hearts to intercede for me; none on earth has so much power with Lord Grange as Lord Dun and you have. If you both favour me, I hope it will do. . . . You may remember the Princess Sobieski [Clementina] went to a monastery. You heard the reason, no doubt [whatever that reason may have been!], and yet the Pope and other friends made peace for her."

If Lord Grange will not listen to friends, "then let me have the benefit of the law." The law was quite powerless to restore to liberty the wife of a man in Grange's position.

The lady tells her story. She lodged with a woman named Margaret Maclean, in Edinburgh: she would have been more safe with a Lowland landlady. About eleven o'clock on January 22, 1732, Margaret opened the door to some servants of Lovat's and his cousin, Roderick Macleod, W.S. Conceive a Writer to the Signet being engaged in deeds so nefarious! The gang seized Lady Grange. She imprudently told Macleod that she knew them. In the struggle they knocked out some of her teeth, bound her, fastened a cloth over her face, and carried her downstairs, no man making them afraid, though all the dwellers on the "common stair" must have heard the uproar. In the street they had a sedan chair, in which sat Foster of Carsebonny. He seized and held the lady, who had been gagged. They carried her to one of the "ports" or gates of the town, to a place where six or seven horses waited for them. It was moonlight. She saw and recognised a Fraser, a page of Lovat's, with others of his

retainers. She was placed on horseback, bound to Foster, and taken to Polmaise, the house of a Mr Stewart, to whom Foster was factor. Here she was kept in "a low room." She knew the people who had charge of her, a farmer named Andrew Leishman and his family. Through the sons and daughter she tried to get messages conveyed to the ministers of Stirling, "but all in vain."

After seven months of durance, Peter and James Fraser pulled her out of bed and set her on a horse behind Foster, Andrew Leishman accompanying them towards the north. The guide was a retainer of Sir Alexander Macdonald of Sleat. Later this man married Lady Macdonald's personal attendant. All the most loyal Jacobite clans appear to have had members engaged in or cognisant of the abduction. Grange had probably persuaded them that his wife was threatening to disclose Jacobite secrets. Foster left Lady Grange at a place which she does not name, and Macleod, with Lovat's men, conveyed her to the seaboard of Glengarry's country. Some of the Macdonnells of Scotus or Scothouse (the name is variously spelled), cadets of Glengarry, came to see Lady Grange, for whom a sloop lay at Lochhourn. Thence she was borne to the little isle of Hesker, belonging to Sir Alexander Macdonald. The tenant pitied her, and might have helped her to escape: in some strange way she had money with her. Mr Macleod, W.S., however, bade the tenant go to Clanranald's house, and told him that Lady Grange was to be taken out of his custody. On June 14 two Macleods arrived at Hesker in a galley, seized and maltreated the captive, and carried her off to "the vile, nasty, stinking, poor isle of St Kilda," whereof one of these two Macleods, John, was steward. Here a missionary of a religious society heard, and wrote down, Lady Grange's story, but we know not whether that version reached Erskine of Tinwald. Two years after her letter was written he had done nothing traceable for her rescue and protection.

There are other texts of Lady Grange's letter. One was communicated by Sir George Stewart Mackenzie of Coull, as David Laing supposed, to 'The Edinburgh Magazine.'¹⁷ The correspondent describes himself as "a member of a numerous Highland clan, not ashamed to avow, while I lament, the savage state in which the Highlands were suffered to remain. . . ." The Lowlanders in this case were the causes of the barbarity. In this text Lady Grange says that she was kidnapped two days before that which she had fixed on for her journey to London. The details do not differ

much from what is told in her shorter letter, already cited, but she accused Lovat of meeting Foster at his house near Stirling to concert measures for her treatment. In St Kilda she owed her life to the kindness of a minister, "for there were no provisions sent me but two pecks of flour, and what the place can afford." The minister wrote out her story, but dared not carry it to Edinburgh, and wished to procure and burn the narrative from which we quote. At the close of it are jotted down notes,—for example, that Lovat said she was going to kill her husband. "Sir Alexander Macdonald, at any time he wrote about me, the name he gave me was the Carop" (*sic*). In 1817, a woman who, as a little girl, had waited on Lady Grange in St Kilda, was still alive in North Uist.

Now it was perfectly well known in Edinburgh, from the first, that Lady Grange was alive, and in obscure confinement. She had been on the point of going to London when she was seized, and probably her intended journey was the reason for her seizure. Grange did not want her presence in town, whether she was likely to tell true or false stories about Jacobite intrigues or not. From the number and importance of the Macleods, Stewarts, Frasers, Macdonnells, and Macdonalds concerned (if she tell the truth) in her sufferings, it would seem that Grange must have given them the alarm. They could not have aided in and connived at her abduction and captivity merely to pleasure Grange in a domestic quarrel. She could not have been kept so long in St Kilda without the knowledge of Macleod, nor in Hesker without the connivance of Sir Alexander Macdonald. Before her capture, in January 1732, Lady Grange had given Mr Hope of Rankeilour a factory (something in the nature of a power of attorney), which, says Hope (December 13, 1740), "I told her I would never use till I heard she was at a distance from her husband, so as she could not disturb him."¹⁸ Now, before September 16, 1732, Hope was making Lovat uncomfortable about his alleged share in the abduction. It is clear that Hope's inquiries caused Lovat to remove Lady Grange from Polmaise and send her to Hesker in September 1732. In that month Lovat wrote from Beaufort to a cousin in Edinburgh, inveighing against "that insolent fellow, Mr Hope of Rankeilour," and threatening to ruin him by an action of *scandalum magnatum*. He denied that he knew where Lady Grange then was, adding that he would not be ashamed if he *had* put "that damned woman" out of the way.¹⁹

Lady Grange's letters from St Kilda of January 20, 1738, did not, "by unknown hands," reach Hope and the Lord Advocate till December 1740. Hope (December 13, 1740) wrote to the Advocate, "I think I can't in duty stand [withstand] this call, but must follow out a course so as to restore her to a seeming liberty and a comfortable life." He expresses warm indignation, but supposes that Lord Grange does not know the facts.²⁰ We know not that the Lord Advocate took any steps, but on January 6, 1741, Hope wrote to Lord Grange, then in London. Grange replied in a very long letter, hinting at the penalties of defamation of character and at sinister motives on Hope's side. He recounted his wrongs, professed his disbelief in the stories, his confidence in the guardians of Lady Grange, his intention to make inquiries and to consult her friends. Hope answered that he had no sinister motives, that he had even prevented Lady Grange's letters from being published. The threats of Grange he did not value, nor would he again address Lord Grange. The efforts of Hope were probably the cause of Lady Grange's removal to Assynt, in Sutherland, and, later, to Skye, where she died in 1745. Her husband survived till 1754, and was darkly engaged in Jacobite intrigues before 1745. No man was punished for the series of cruel wrongs; the law did not interfere; everywhere, though the story was well known, was a shameful timidity and reserve, a conspiracy of silence broken only by Mr Hope.

A similar tale reaches us only in a legendary shape, "the highest art of cruelty and villainy of the Laird of Glengarry to his Lady that ever I almost heard," so Wodrow writes.²¹ What really occurred—if anything unusual occurred—is unknown. It was not easy to learn what was happening in the Highlands. Wodrow's tale is that Glengarry wedded a Miss Mackenzie, granddaughter of an earl, but daughter of a rich goldsmith in Edinburgh. She was looked down on as a tradesman's daughter. Attempts were made, in a ruffianly manner, to trump up a false charge of adultery against her, and to poison her. Finally she was sent to "a barren rock in the sea," with cruel attendants. Here she refused food and died. About this Wodrow heard "in general a most fearful outcry." He enters this anecdote in 1727. Ten years later, writing from Inverness, the author of 'Letters from a Gentleman in the North of Scotland' gives the same story about "a certain chieftain," unnamed. He does not pretend to know, "it is uncertain," whether husband or wife was to blame. "A rough old

Highlander" of about sixty was "imprisoned at one of the barracks *while I was there* [1727] for accepting favours from the lady. She was to be sent to Edinburgh to answer the accusation, and while she was preparing to go, and the messenger waited without doors to conduct her thither—*she died*." ²²

If the author were really at Inverness in 1727, and if the story as told by Wodrow were true, the author must surely have heard the real facts. Wodrow's tale, on the other hand, reads as if it were contaminated with the old story of the Lady's Rock in the Sound of Mull. In both Wodrow's and the other version the wife of the chief is despised as the daughter of a tradesman; in both a charge is brought against her virtue (a manufactured charge, in Wodrow's version); in both she dies. But the introduction into Wodrow's variant of the banishment to a desert island probably proves no more than the difficulty of obtaining information as to what occurred behind the veil of the mountain mists.

NOTES TO CHAPTER XV.

¹ Fifth edition, Jamieson, 1818.

² Letters from a Gentleman in the North of Scotland, ii. 254-267.

³ Letters from a Gentleman in the North of Scotland, i. 9, 10.

⁴ Culloden Papers, p. 103, quoting letter from Evan Baillie of Aberiachan, 'Edinburgh Magazine,' 1785.

⁵ Iliad, xxiii. 826-835.

⁶ Letters from a Gentleman in the North of Scotland, ii. 41.

⁷ Letters from a Gentleman in the North of Scotland, ii. 56.

⁸ Letters from a Gentleman in the North of Scotland, ii. 342.

⁹ Letters from a Gentleman in the North of Scotland, ii. 344.

¹⁰ Scotland and Scotsmen : 1888.

¹¹ Ramsay, Scotland and Scotsmen, i. 32.

¹² Hill Burton, viii. 393-395.

¹³ Lady Grange's Letter of St Kilda, January 20, 1738. Proc. Soc. Scot. Ant., xi. 602.

¹⁴ Carlyle's Autobiography, chaps. i., ii. : 1860.

¹⁵ Miscellany of the Spalding Club, iii. 59.

¹⁶ Wodrow, Analecta, iv. 165, 166, 254.

¹⁷ The Edinburgh Magazine, 1817, i. 333-339.

¹⁸ Proc. Soc. Scot. Ant., xi. 605.

¹⁹ Proc. Soc. Scot. Ant., xi. 599, 600.

²⁰ Proc. Soc. Scot. Ant., xi. 605.

²¹ Wodrow, Analecta, iii. 426, 427.

²² Letters from a Gentleman in the North of Scotland, ii. 116, 117.

CHAPTER XVI.

LIFE IN THE LOWLANDS.

1700-1745.

HAD Ramsay of Ochtertyre been born twenty or thirty years earlier than he was, his account of the Highlanders might have been less sympathetic. In his own day the Highland regiments were winning renown under the British standard. Thirty years earlier their fathers may have been ill neighbours to Ochtertyre, and Ramsay might have written in the spirit of the Gartmore author. His district, though not Highland, was not Lowland in the same sense as the Lothians, which had always been more fertile and better cultivated. His region was a middle point between the country of the clans and the more prosperous southern territory. The farmers of the better class had probably occupied the ground since the old days of the favoured "kindly tenants." The ancient grievance of agriculturists, as we have more than once had occasion to notice, was that they held not by leases, but at pleasure, and might be turned out by a freak of the laird's. Mary of Guise lamented their precarious condition, and a letter of Mary Stuart begs a laird not to turn a poor woman out of "her kindly room."

Such lack of tenure must always have been pernicious to agriculture. In central Scotland many great families "laid it down as a rule never to change tenants that behaved well; neither were the rents raised, they being satisfied with grassums, or fines, which, Lord Stair observes, was always a mark of kindness." Lowland tenants, from whom no military service was to be expected, shared in this favourable system. The tenants acquired "tacks," or leases, after the Reformation, when "their hardships made them solicitous to have legal security."¹ Probably they suffered by the change

from Catholic and clerical to lay and Presbyterian superiors. The leases were usually for nineteen years. The old system of *Steel Bow*, or "taking stock,"—the landlord providing horses, cows, sheep, and implements, which the tenant had to restore at the end of his tack,—appears to have gone out, by the middle of the eighteenth century, in the Lowlands. The land had been let in "run rig,"—"the several tenants had ridge about of every field," one farmer having one ridge in several fields. Between the ridges were great "baulks," untilled, covered with stones, broom, and gorse.² This was a truly wasteful system, and caused much bickering among the tenants, being a survival of village communities. The common field and run-rig system appears to have prevailed in the distant days of Homer.

The lands were ranked as "infield," near the farmer's house, and "outfield." The infield received all available manure and was carefully tilled, the outfield was dealt with "in a very slovenly manner." Sometimes the cattle were folded in the outfield in summer: sometimes sandy outfields were laid under water in winter. On outfields beside the great peat-mosses, then undrained, the peat refuse was burned in July, and the following crop of oats was usually good. The people began yearly to reclaim a strip of moss, converting it into arable land. The system of rotation of crops was bad, much land was always fallow; cattle in winter were weakened by hunger, for lack of hay and other foods; and the use of lime as manure was discovered late, though it was ardently adopted when it was discovered. The quality of grain in use, early in the century, was bad. "*White* oats" were confined to the best of the infields, for the rest the black or the grey oats sufficed. In place of barley, "bear" was commonly sown, and was made into bad bread. Beans came in late, and peas, out of which a sour heavy bread was made till recent times, were not in favour. The little wheat raised was "of a red-bearded kind," which had been cultivated since the days of the Royal Bruces: it was hardy, and needed little manure, while the flour was bought by the people of the larger towns.

The ploughs and harrows were little better than those of the Highlands, rather resembling the plough described by Virgil in the 'Georgics,'—an implement not yet extinct in Italy. They were home-made by the tenants; the timber was brought down by Highlanders, at Martinmas, to the Doune fair, and sold for a shil-

ling or eighteenpence. Everything was clumsy and cumbrous and cheap, the object of the tenants being frugality rather than profit.

The farm horses were not much better than the Highland ponies—"small and weak." The difficulties of conveyance, on primitive roads, was a prime cause of inefficiency. Corn was "led" from the fields to the barn in sledges. These were slowly superseded by *tumblers*, carts with wheels, made, in prehistoric fashion, with wheels of solid wood, not rimmed with iron. This Age of Wood was probably much behind that of the Celtic charioteers who fought against Agricola. Most commodities, even coals, were carried in sacks or packs, slung over the backs of horses. The tenants' cottages were hovels built of turf, "fail," or "divots," but, if well thatched, were more warm and dry than cottages of stone, or "clay biggins." Stable doors were made of wattle, as in the days of St Columba and his missionaries. The cattle wandered, from harvest-time to May, over the unenclosed outfields, trespassing where they pleased. The clothes of men were mainly home-made, "few of the topping tenants having either boots or saddles. . . ." Their food was bear-meal porridge: oatmeal porridge was a luxury. When Ramsay wrote, wheaten bread was more common than oatcakes had been in his father's day. "Water kail" made without any meat was a standing dish. The table of Laird Milnwood in 'Old Mortality' was luxurious compared with that of the Stirlingshire farmer. It was most unusual to kill a cow to be salted at Martinmas; but, as time went on, most tenants salted a cow or two. Onions, imported from Flanders, were eaten raw as "kitchen" to the bread. The Highlanders were better supplied, according to the song—

There's naught in the Highlands but syboes and leeks,
And bare-leggit lads gaun wanting the breeks,—
Wanting the breeks, and without hose and shoon;
But we'll a' get the breeks when King Jamie comes hame."

Whisky seems to have been absent, and very little ale was brewed: here again the Highlanders, as far as whisky went, had the superiority. "They were in general well pleased with their lot. Whatever might be their grievances, the meanness of their food and raiment seldom gave them a moment's disquietude." They were a Spartan people. To judge by all accounts, and by such proverbs as "the clartier the cosier," they were the reverse of a clean people. But on this topic it is needless to enlarge, and evidence for the

fact is superabundant. Such diseases as prosper through dirt appear to have been as common in the Lowlands as in the Highlands.

Granting the defects of the system, it was that which long experience pointed out as the best under their conditions: it is not easy to figure a scheme by which the same quantity of grain could be raised for the same money. These farmers, though apparently on the border of starvation, were moneyed men. "It is astonishing what sums of money the tenants of the last age had out at interest with the gentlemen of the country." They never spent anything, obviously; all was home-made, except two or three cloth great-coats bought in the course of a lifetime. Two generations earlier than Ramsay's day the merits of liming the land had been discovered: one man limed one ridge in a field of many ridges, and the landlord "offered to take the crop of that single ridge as payment of his rent." If rents were not raised, and if the farmer limed all his ridges, it is easy to see how he became opulent. When "run rig" was abolished, and each man had his separate farm to himself, much waste was avoided: the outfield system ceased; beans, barley, and oats were the crops. About 1735 these improvements, with a rise, but not an exorbitant rise, in rents, were made at Ochertyre. Wages, partly in money, partly in clothes, were extremely low: there was a Union among the hinds to raise them, but their demands were moderate indeed.

Enclosures for the benefit of cattle intended for the English market were, when first made, a bitter grievance. In Galloway, about 1724, there was a rising against enclosures: the rights and wrongs of the matter are not easy to disentangle. As Wodrow heard at first (May 1724), Galloway, Nithsdale, and the shire of Dumfries were perambulated by five or six hundred "Levellers" or "Dyke-breakers," armed. "It is certain," he says, "that great depopulations have been made in the South, and multitudes of families turned out of their 'tacks' and sent awandering." In some parishes, he adds, only five or six families of cultivators were left.³ But, in June, a friend who had been in Galloway gave a different colour to the business. The agriculture in Galloway, he said, was indolent and wasteful; "they generally ran out the land prodigiously, . . . their arable ground is turned to nothing by being ploughed two years, and left lee [fallow] only one," while tenants were in arrears of from three to six years with their rents.

The landowners were thus induced to make enclosures: tenants were refusing either to pay or to go. Two had held a meeting, and made up an alliance, with a "band," in the old fashion. They collected "crows," or "pinches" such as quarrymen use, and threw down the loose stone walls, refusing to accept any terms from the landlords. They seized and slaughtered cattle, under the pretence that they were of Irish importation, and three ministers were said to be their instigators. A Major du Carry, commanding four troops of horse, was averse to harsh measures against the Levellers, who issued their manifestoes in the old fashion, and made some riots, with the women, as at Glasgow during the Malt riots, at the front. The women of Galloway had been prominent in the tumults of the seventeenth century, and their presence, of course, was embarrassing to the military, and was intended so to be. In the winter months the agitation increased, and a minister's yard dyke, or garden wall, was overthrown because he made his beadle take down a manifesto from his kirk door.⁴ By June 1725 "the soldiers have calmed them," writes Wodrow, and Lord Stair had a plan for establishing manufactories, which led to little good. The true cause of the explosion was great poverty, and great ignorance of agriculture.

At this date, 1724, potatoes and turnips were being experimentally introduced by Cockburn of Ormiston, but so long as turnips were sown broadcast they naturally did not flourish. Such as came to perfection were regarded as curious relishes rather than as food for cattle. Potatoes, though already not unfamiliar in gardens, were looked on with suspicion in South Uist, where Clanranald introduced them before 1745.⁵ It was not till after the Rising that the landlords who practised English methods of husbandry began to make converts among their tenantry, who had previously looked with amusement and distrust at the agricultural freaks of the gentry. Lads who had been in the service of improving lairds, and who understood the new ploughs and new methods, now more sensibly adapted to Scottish conditions, took service with the farmers. It was no longer thought a sacrilegious usurpation of the function of Providence to employ fanners in mills. The Anti-burgher preachers were accused of "testifying against fanners, as a creating of wind and distrusting of Providence. . . . But this scrupulosity being contrary to self-interest, made little impression on their followers."⁶

Considering the value which Scotland has always set on educa-

tion, and remembering the schools which existed before the Reformation, and the admirable dispositions planned in the Book of Discipline, it is disappointing to find that, even in the Lowlands, education was starved in the early eighteenth century. In almost any age, and in almost any circumstances, persons with a love of learning and of study will find means to educate themselves. The majority may remain as ignorant as it likes to be,—and ignorance must have been general when the precentor had to read aloud, not always correctly, each pair of verses in a psalm before the congregation could venture on singing it, a method still extant in living memory,—but the right people, the people who would learn and were meant by nature to learn, did learn in Scotland. As men were strong and, save for the agues caused by undrained lands and for the maladies of dirt, were healthy, despite their poor fare, so they acquired Latin, and a love of Latin literature, despite the poverty-stricken estate of schools and schoolmasters. There might be twelve parishes in the Presbytery of Ayr without schools as late as 1735, but, thanks to some poor student in his vacations, or in some other casual manner, people like Burns and his brothers later did wonderfully manage to become educated.

Reports of 1696 to a Parliamentary Commission speak of Kilmaurs and Dreghorn without schoolmaster's salary, or house, or school, and of Dunlop with only "a poor man that teaches to read and write"; of Ardrossan, with no supply for the teacher, beyond a salary of three bolls of meal, "given by my Lord Montgomery at pleasure"; while six bolls of meal at Fenwick rewarded "a poor honest man who taught reading and writing." Taking the boll at ten shillings sterling, we shall probably estimate it too high. We even learn that "no schoolmaster in the Presbytery teaches Latin"; yet we may be sure that, by hook or by crook, Latin, then necessary for a minister, was learned in the Presbytery of Ayr by ambitious youths.⁷ It seems probable that the ministers, who assiduously endeavoured to extract funds for education from the hard-fisted heritors and people, must themselves have instructed boys of lively parts. Students on holiday and "sticket ministers" gained a few shillings by teaching in kirks or barns, and religious education, by way of catechising, had always been liberally given by the ministers. The peasants whom Bishop Burnet found so full of Biblical texts, and so eager in controversy, cannot have relied merely on memory, but must have read their Bibles. The large numbers of religious

diaries kept by men and women in humble life attest the wide diffusion of writing. People of great natural intelligence, with keen theological and political interests, can acquire knowledge where the iron-witted remain wholly untaught.

The law required the heritors to provide a school-house in each parish, but when the kirks were so ill-equipped, and when the manse was often so small and dark, money for school-houses could not be extracted from heritors, often poor struggling gentlefolks, living on rents paid in kind. The Kirk-Session always did its best: the case of Cramond (1717) shows how bad that best may be. Poverty extended to the article of straw. The thatch of the roof of the school-house was rotten; the Kirk-Session ordered each pupil to bring some straw to repair the thatch, but only straw enough to cover half of the building could be obtained. As for fuel, each scholar brought his own peat, trudging with it barefoot through wet and dry; carrying rushes and straw too, for covering of the floor on which he was to crouch over his books.⁸ In some rural parishes the teacher, like the tailor, went from house to house, boarded with the cottar, and giving instruction in any empty outhouse.

His legal salary was not over ten pounds annually, eked out by a casual half-guinea from a generous town council, and by such fees of a shilling a quarter from each child as he could extract. Socrates might have been amused by the festival of Fastern's-E'en, when the young sportsmen brought each his fighting-cock, paying to the schoolmaster an entry of a shilling, and using the schoolroom as a cockpit. The bodies of the combatants that fell were the dominie's perquisite, and he and his family could enjoy cocky-leeky for a brief season. The "fugy cocks," the cowards, were fastened up as cockshots: the gentlemen patrons were admitted free to the recreation, though at such a time, if ever, the heritors might have displayed their liberality. At Dumfries (1725) it was "the under-teacher" who kept the door and received the shillings: there were two dominies.⁹ At St Andrews, in 1755, the two teachers of the grammar-school shared the "cock money" equally. In 1768 the Kirk-Session of Kinghorn, moved by the schoolmaster, observed that cock-fighting was a cruel sport, and approved of the proposal to put it down; but in many places it lasted till the end of the century. The strange thing is that the Kirk awoke so tardily to the evils of what was not only cruel, but amusing.

The very name of Fastern's-E'en was "a rag of Rome," of Shrove Tuesday, as was the name of Candlemas, February 2, a great day for the dominie. Each child presented a gift to the master as he sat at his desk, with the tawse in abeyance. The gifts ranged, according to the wealth and goodwill of the parents, from sixpence to half-a-guinea, and, as they were announced, were greeted with more or less applause; the dominie leading the cheers with *vivat*, *floreat bis*, and so on, the highest givers being saluted as "king" or "queen," and carried, on cross-hands, "the king's chair," along the streets in triumph. In 1643 John Keith, brother of the Earl Marischal, was king, and was accompanied by a procession of candle-bearers, manifestly a popish survival, to the horror of the commissary clerk, who beheld and recorded the event. The children marched round the Cross, or what was left of it, and this in 1643. Even in the nineteenth century the "king" of Lanark school had his procession of palm-bearers on Palm Sunday, so inveterate were the popular reminiscences of the ancient faith.¹⁰ On the first Mondays of May, June, and July, holidays were given, and shillings were paid in commutation of an older contribution of bent-grass or rushes to strew the floor of the school.

The dominie was the "handy man" of a parish, precentor if he had the gift of song, and clerk to the Kirk-Session. As the grades of gifts prove, the boys were of various ranks, and met on the most democratic footing of equality, though a few sons of noblemen went to Eton, and, as Lovat's letters show, there was a school of gentility at Dalkeith. His two sons "should stay at Dalkeith till they were masters of their Latin," thence they were to go for two or three years to the University of Edinburgh, and then were to learn "the civil laws, and the other parts of learning that they would be capable of" in Holland. As the Master of Lovat was "so tender" that his father dared not send him to the South, one of the Dalkeith ushers was engaged to be his tutor in the North. Thus Lovat (1737) defended himself against "the aspersion" that he meant to educate his boys in France.¹¹ Lovat's friend, the famous Duncan Forbes of Culloden, spent his own school days at Inverness before going to Edinburgh University. Dalkeith had long been a successful seminary, for there the celebrated Jacobite wit and physician, Pitcairn, began his Latin studies, as a boy, before 1668, when he entered Edinburgh University.

Pitcairn was the patron of a scholar whose career is instructive as

regards the educational profession in Scotland during the earlier part of the eighteenth century. Thomas Ruddiman was born in October 1674, one of several sons of the farmer of Raggel, on the shore of the Moray Firth. It was a loyal part of Scotland, and the tears which his father shed on hearing of the death of Charles II. were never forgotten by the boy, who throughout life was, in all senses, "of the honest party." At the parish school, near his father's cottage, he studied Simpson's Latin Grammar, which he was born to supersede by 'Ruddiman's Rudiments' (1714), a book still in use as late as 1860. Ovid was his first favourite among the Roman poets, "with his moral examples, and with his useful lessons of life," says his biographer. At the age of sixteen the young scholar determined, in Scots phrase, "to fend for himself." He had heard with eagerness that "the munificence of the North had established, in the universities of Scotland, various foundations which are there called *Bursaries*, and which, as they amount to nine, or twelve, or fifteen pounds a-year, enable the students, during four terms, to acquire a competent knowledge of Greek, of physics, and of metaphysics."

Ambitious of the competent knowledge thus to be won, young Ruddiman secretly stole off on his march to Aberdeen, rich in a guinea presented to him by his sister Agnes. He was met, stripped, and robbed by gipsies, and it was a deplorable but resolute boy who entered Aberdeen. However, he was easily first in the examination, which was limited to an essay in Latin. He studied under the philosophic Professor William Black, who "was accurately informed as to the theory of pumps and the uses of the barometer. He was sufficiently acquainted with the solar system, though he had little mathematical science. He had studied, indeed, Des Cartes; he had heard of Locke, yet he knew nothing of Newton."

To the theory of the common pump and the uses of the barometer, young Ruddiman preferred the classical languages and literature. Among his contemporaries at college was Lovat, then a wild boy enough, and "Dunlop, the well-known watchmaker, who, being an honest man, rose to be a more useful," though less conspicuous, "citizen." After taking his Master's degree (1694) Ruddiman acted as private tutor in the family of Mr Young of Auldbar, great-grandson of Sir Peter Young, the tutor of James VI. At the age of twenty-one he became schoolmaster of Laurencekirk in the Mearns, a village which had not yet acquired the honours of a burgh

of barony. This seemed unambitious, for his highest salary, if the heritors could be brought to pay it, would amount to no more than two hundred merks, as settled by a statute of 1633. He was paid chiefly in grain, and his grain he sold at a high price to his uncle,—for these were the famous years of dearth of King William, when many died of hunger. The salary of the headmaster of Edinburgh High School, in 1709, was fixed at £16, 13s. 4d. sterling. How many bolls of grain made up Ruddiman's salary we know not,—probably not many more than six, oats then, on an average, bringing ten shillings the boll.

Happily for Ruddiman, in 1699 Dr Pitcairn happened to pass a night at the inn of Laurencekirk, and, desiring a companion to dine with him, was introduced to the schoolmaster. Both were Jacobites, both were lovers of the Latin Muse, and Pitcairn invited Ruddiman to Edinburgh. Here he worked, in an unofficial way, at the Advocates' Library, founded, mainly by Sir George Mackenzie, "bluidy Mackenzie," about 1682. In 1702 Ruddiman became assistant librarian. His salary was a hundred pounds Scots, or £8, 6s. 8d. in sterling money. This was indeed promotion, and the salary was increased by perquisites and fees, and payment for copying manuscripts, chronicles, and chartularies. He also took private pupils, and Dr Pitcairn gave him two guineas,—a great sum to a needy scholar. His note-book shows that the weekly expenses of his family amounted to three pounds Scots. In 1710 Ruddiman calculated that his worldly means amounted to less than £300 Scots; and the expenses of his wife's funeral, in the same year, were £305 Scots,—a characteristic disproportion. By this time the Faculty of Advocates, hearing that Ruddiman was invited to be schoolmaster at Dundee, raised his salary to £30 sterling (£363, 6s. 8d. Scots). His wife's funeral had cost him more than a year's salary on the former scale. Mr Grey Graham remarks that "the cost of a funeral was sometimes equal to a year's rental"; and, in 1704, the funeral of Lord Whitelaw, a judge, cost £423 sterling, equivalent nearly to two years' salary.¹² There is something barbaric in these disproportionate funereal expenses.

Ruddiman's editorial industries contributed to his modest wealth, and his Latin Grammar passed through three editions in six years, through fifteen editions during his life. We hear with a sensible interest that he kept his copyright. His later works do not at present concern us, but Ruddiman's example shows the highest

mark to which scholarship, in his day, could carry a layman who depended on his learning for his livelihood. When David Hume succeeded Ruddiman as Librarian to the Advocates, his salary was but forty pounds a-year.¹³

The poverty which oppressed the burghs and their schools was due, says their historian, to "the old dilapidations of the common good, and the wholesale alienations which gradually diminished the original endowments of several burghs, until at last there was only left a wreck hardly sufficient for paying the salaries even of the common officers." Efforts were then made to raise the funds by "stents" or assessments. These were unpopular. In 1707 the school of Linlithgow, Ninian Winzet's old school, was shut up, 400 merks to the schoolmaster being "a heavy burden to the town." But what caused "the dilapidations of the common good"? One cause was certainly the wasteful conviviality of the town councils. Mr Grant, however, declares that he has hardly met with an instance in which the municipal authorities repudiated the payment of the schoolmaster's salary, and insists that they discharged their task "with marvellous uprightness and regularity."¹⁴ They were "patriotic, generous, liberal," and thoughtful: still, we regret the "dilapidations."

As for the studies, Latin was the chief of them, and in not a few schools Greek was also taught, or supposed to be taught, in the grammar-schools, though down to the time of Sir Walter Scott, and the foundation of the Edinburgh Academy, Greek, on the whole, was confessedly neglected in Scotland, and the junior Greek class at the universities was occupied with rudimentary work. The custom was that the master carried his pupils through from the elements of Latin to the highest class, and each boy, however backward, went up with his form every year—a scheme of which the disadvantages are too obvious. A good elementary teacher might be no scholar, and a boy of stupid nature or of indolence wandered into yearly thickening darkness. This practice of yearly promotion did not prevail universally during the relatively learned years of the late sixteenth century—indeed, it has never been universal in Scotland, though very common. The grammar books before that of Ruddiman, who gave an English translation, were written in the language which the pupil was expected to learn—in Latin. Plays were acted by the boys. In 1734 they of Dalkeith acted "Julius Cæsar," "with a judgement and address inimitable at their

years," says 'The Caledonian Mercury,' a newspaper managed by Ruddiman. In the same year the Perth grammar-school boys acted Addison's "Cato," though none of them had ever entered a theatre. The Kirk-Session of Perth, however, denounced this profane exercise, also the play of "George Barnewell," and a sermon was preached against "converting the school into a playhouse, whereby youth are diverted from their studies and employed in the buffooneries of the stage,"—as if "Cato" were a farce.¹⁵ "Stage plays" were censured, among other "provocations to uncleanness." Addison is not, however, a provocative dramatist.

The "world's wolter," of the year of the Spanish Armada, made it impossible for James VI., as he confessed, to give his undivided mind to the needs and grievances of the University of St Andrews. Some sixty years of the seventeenth century had been what his Majesty called "a world's wolter": the universities had suffered thereby in many ways, especially since the rival religious parties, as they alternately triumphed, turned out such professors and regents as adhered to the defeated faction. In 1696 a University Commission visited St Andrews, and their report of their proposals, with the answers made by the authorities of St Leonard's and St Salvator's Colleges, discloses the conditions of education. The University clung to the system of "regenting," by which a regent carried his whole class for four years through the whole domain of academic knowledge, from the elements to "the Physics general and special." Nobody was less of a specialist than the regent himself, who thus in a small way "took all knowledge to be his province." The Commissioners, with Crawford and Ruthven at their head, were anxious to break up a system which seemed to expect to find in every regent an Admirable Crichton. "It is the opinion of the Committee that the Professor of the Greek tongue be fixed to the class, there being far fewer eminent in that skill than in Philosophy, and that nothing be taught in that year but Greek." It is, indeed, unseemly that "many an old philosophy" which once "on Argive heights divinely sung" should be learned and taught by persons not versed in the Argive, or Attic, original treatises. Despite the enterprise of Andrew Melville, and other scholars of the sixteenth century, Scotland had never a sufficient share of Greek, though Puffendorff and Morhofius (1680-1725) were able to speak highly of Scottish Latinists. Sir Alexander

Grant justly remarked that "it was one of the points of similarity between the Scots and the French that neither of the two nations ever took very kindly to Greek. Whether this was due to external causes, or was connected in some way with other national characteristics, it would be hard to say. But it seems a fact that while German and English scholars have inclined to Hellenism, French and Scottish scholars have, till lately, confined themselves to Latinity."¹⁶

Probably the Scots, more familiar with France than with England, Germany, or Italy, merely followed the French example, while the French themselves have ever been chiefly addicted to a language so closely connected with their own as the Latin. It would be easy to name respected Scottish Latinists in the eighteenth century, but not till the nineteenth did the country produce Greek scholars so eminent as Professor Lewis Campbell or the late Provost of Oriel, Mr Monro. Even now the Greek professors in our universities are usually Englishmen, or Scots who have been distinguished at the English universities. Again, the Scottish universities hampered their pupils by discouraging, in a purely tradesmanlike spirit, the teaching of Greek at the burgh schools. Greek they regarded as their monopoly, and many boys arriving at college had to begin by learning the Greek alphabet,—a waste of the time of the regents, but the source of an addition, as they thought, to their fees. The schoolmasters evaded the laws prohibiting them from teaching Greek; and such boys as did learn Greek at school were apt to absent themselves from the Greek class at college, where "the Professors, owing to the low state of proficiency in their pupils, were not free to start above the level of school teaching, and had to act the part of tutors instead of that of Professors."¹⁷

The replies of the St Andrews colleges to the proposals of the Commissioners of 1696 show that they were anxious to cleave, as they did for long, to the old system of "regenting." They would not leave Greek to a specialist in that speech. "The Greek is here taught by the Professors of Philosophy, *mutuis vicibus*, and we think it needless to alter that constitution, all our masters being sufficiently skilled in that tongue." Again, there was "no settled provision for our present Professors," who appear to have lived on the fees paid by their classes. "The first year being never numerous, the Masters' greatest encouragement is their expectation of better classes in the subsequent years, and therefore it cannot be

supposed that any of the present Professors will fix himself to the Greek [the work of the first year], or that any other person of merit will be got to such a mean post" as the teaching of the language of Homer and Plato. The St Leonard's regents averred that any one of them could, at least, teach more Greek than any boy could learn in one year. If more were desired, a Greek chair with a fit occupant should be founded. Meanwhile they desired "that all teaching of Greek in Grammar-Schools be strictly prohibited, because there are a number of silly men who, having hardly a smatter of Greek themselves, do take upon them to teach others, to the great disadvantage of many good spirits."¹⁸ In these circumstances it would be curious if Scotland had produced eminent Hellenists in the eighteenth century. On the other hand, we find men of the sword and of affairs—like Claverhouse, Lovat, and the Master of Sinclair—quoting Latin authors, even authors now little read, and quoting them with unaffected pleasure. In the remote isles Dr Johnson, later, met ministers who were excellent Latinists, and the minister was often the local archæologist. When many men were so learned, in spite of difficulties which to us seem insuperable, there must have been a genuine zest for erudition. Scotland was not then, as Lockhart wrote that she was about 1820, "in a state of facetious and rejoicing ignorance."

Greek was, or ought to have been, the study of the first year at St Andrews. Of Latin nothing is said in the Commissioners' Report of 1696. The schools were expected to teach it, and the extraordinary thing is that, despite their extreme poverty and lack of qualified masters, they obviously did teach Latin. When, in 1706, twenty pounds was raised for the salary of a Latin professor at Glasgow, he was enjoined not to teach grammar—grammar was the monopoly of the schoolmasters, their *gagne-pain*.¹⁹ Of course no man could teach composition and translation without teaching grammar; it must have been meant that he was not to give lessons in the grammar book. "In the second year," say the St Salvator regents, "we teach the Logicks and nothing else, except arithmetic and some of Euclid's elements." The Logicks would be taught in the Latin of that science: it is improbable that Aristotle was tackled in Greek. Even under the distinguished Professor Ferrier, in the middle of the nineteenth century, the pre-Socratic philosophers were lectured on without the Greek texts: the custom may have survived even later. In the third year the

Metaphysics were taught, also "the Pneumatics," which here seems to mean psychology, for "metaphysics is the science of immaterial being, and nothing can be more expressly under it than spirits." On other occasions "the Pneumatics" appear to have included "the uses of the barometer." Ethics as well as metaphysics and pneumatics were taught in the third year. "In the fourth year we teach the Physicks general and special . . . and Geography if students wait and stay so long." Apparently most of them evaded the first year and the fourth year. There were examples of students who came very young indeed, but the average age was probably, as in Ruddiman's case, from sixteen to twenty: Ruddiman, at Laurencekirk, succeeded a schoolmaster who died at twenty.

The Session was from the end of October to July 20, "unless our Rent fall short." The Commissioners had objected to the taking of copious notes—to taking down the whole lecture. Students, the teachers reported, were more apt to arrive at the opening of term and stay through it, "for fear of *blanking*, as they call it." Not many years ago a professor observed a student not taking notes. "Have you notes of the lecture, Mr —?" he asked. "Yes, sir." "Whose notes?" "My grandfather's, sir." There are other cheerful, if apocryphal, modern anecdotes of students who possessed old notes of lectures that never varied with the progress of the years and of science. The tendency was, and is, not in Scottish universities only, for lectures to take the place of reading-books. There was an excellent practice of examining the members of each class at the beginning of each session,—“it obleidges students to diligence in the vaicancy,”—and there was also an examination at the end of term, a kind of "collections." The Commissioners desired a matriculation examination in Latin and Greek, but as the regents did their best to prevent the schools from teaching Greek, to reject newcomers ignorant of Greek did not suit their interests. Greek was nothing less than compulsory; many came to college in the second year Greekless, and Greekless they remained. At St Leonard's they did teach Latin, till the latest comers dropped in, and at St Leonard's they disapproved of taking down the whole lecture in note-books. Greek, they thought, should not be compulsory except for holders of bursaries.

It is obvious that St Andrews was very poor, the regents, and

later the professors, depending on fees from their pupils. From the Reformation, when Lethington had his share of the booty, onwards, the University, never rich, was often plundered, and "the common good" was "dilapidated" by the professors. Andrew Melville, when Principal of St Mary's College, was accused of inefficiency in financial administration, and even in the nineteenth century Dr Chalmers was obliged to expose remarkable "dilapidations." In 1747 St Leonard's and St Salvator's united in one college, by reason of "the meanness of the professors' salaries" and the ruinous condition of the buildings. If there were any funds for "the upkeep" of the edifices, the professors probably used them for the repair of their own salaries. After the union of 1747, the chairs were (for "regenting" was now abandoned) those of Greek, Logic, Rhetoric, and Metaphysics, Ethics and Psychology, Natural and Experimental Philosophy, Latin (at last!), History, Mathematics, and Medicine. At present there is only a Readership in History, of recent foundation. Till 1892 the Logic professor also lectured in English Literature. The History chair was a complete failure, and in 1850 a gentleman was appointed to combine Civil with Natural History! He was a venerable sportsman, but did not lecture much. There were sixteen bursars and four servitors: only three new bursaries were founded in the last half of the eighteenth century. On transferring the men of St Leonard's, which was in fair repair, to St Salvator's, which was in no repair at all, Montrose's rooms were demolished: such was academic taste and wisdom. In 1827 Professor Hunter said that he was ashamed when visitors wished to see the college, "the exterior of it was so discreditable"; "like an old cotton mill," said Dr Chalmers. St Leonard's and its site were alienated—in short, no Scottish university was so robbed, starved, and neglected as the oldest and most famous of the four, till it revived in the middle of the nineteenth century.²⁰

It was probably to the wisdom of Carstares, when Principal of Edinburgh College, that the change from "regenting" to the foundation of professorial chairs was due. In 1707 a crown patent was procured for a Professor of Greek,—a point on which the Parliamentary Commission had insisted. The Greek teacher was to be "fixed, not ambulatory," to teach Greek, and to teach nothing else. The Town Council, the patrons, at first opposed, but in 1708 consented to, this measure, and even appointed pro-

fessors of Latin, Logic and Metaphysics, Natural Philosophy, and Moral Philosophy. These men were, and their successors remained, teaching professors, not decorative additions to the academic structure. Glasgow followed the lead of Edinburgh in 1727, St Andrews did so on the union of its colleges (1747), and Aberdeen in 1754. It had previously been the interest of the regents to make their pupils graduate: in the new state of things graduation became rare, and almost extinct. "The small, poverty-stricken, ill-housed University of Edinburgh stood, 'like a lodge in a garden of cucumbers,' in a country wellnigh destitute of secondary schools."²¹

Even after the middle of the eighteenth century, and after the union of St Leonard's and St Salvator's colleges, the salaries of professors were very exiguous. The salary of the Principal was fixed at £160, but in 1826 we find that, in addition to other accrued sums,—for house rent and "diet money," and £3 in "kain hens" from the farmers,—he has "additional money, generally known by the name of the Candlemas dividend, £105."²² The celebrated Dr Chalmers, elected Professor of Moral Philosophy in 1823, was a moralist as well as a philosopher. He felt a conscientious desire to know what was the source of the Candlemas dividend, which looked very much like the Candlemas gifts of the schoolmasters, paid by the Principal and professors to themselves. His statement is that each professor received a regular salary of £96, *plus* £15 for house rent or "diet money," *plus* the considerable Candlemas dividend in February. "What *was* the Candlemas fund?" the professor kept asking his brethren, and he refused to take his share while the mystery was unsolved. He could not be certain that he, or any of them, had a right to the dividend. In short, the money was the surplus of the revenues of the college after the salaries settled in 1747 had been paid, and the money ought, apparently, to have been applied to the maintenance of the buildings, which became ruinous.

Increasing values of college lands had permitted small augmentations of salaries, without impairing the general revenue, at various dates after 1747. But in 1795, and till 1826, the professors had acquired a habit of helping themselves to just as much as they thought that the general revenue could afford for the year, and that amount was the Candlemas dividends, only enough for incidental corporate expenses being left in the college chest. "An

instant hand is now laid upon each annual surplus, which it is now the urgent interest of the Professors to make as large as possible. The obvious method of doing this is by saving to the uttermost, on buildings, and apparatus, and library, and all the public expenses of the Society.”²³ Thus poverty had led to conduct not precisely scrupulous, and ruinous to all the interests of the University, while, as Professor Chalmers observed, “it is little, after all, that we do receive, but there ought to be a legal and undoubted sanction for every farthing of it.” The professors were helping themselves to £1600 a-year over their original salaries, and their conduct was rebuked by the opposite behaviour of the professors at Glasgow. Yet, when all was done, the professors were paid, even when they helped themselves, on a most inadequate scale.

It is certainly a notable fact that, in a people so intelligent as the Scots,—a people so apt for education, and so proud of its education,—the eighteenth century saw education starved, even after the tide of penury had turned, when society set its face to new advances, after the Rising of 1745. There was then a notably rapid increase in wealth, but none of that wealth came to any university. But independence of spirit remained. “The Town Council offered to relieve poor students of their graduation fees”—an offer which was resented.²⁴ Independence does not mark the many persons of competent property who now accept the college fees of their sons from the well-meant beneficence of an opulent alien.

The life educational has in no age attracted many men of great natural powers. In the vision of Er, in Plato, when he saw the souls choosing new careers, none of them selected the existence of a sophist. When the salaries of professors were not above £60, when they had to eke out a livelihood by taking boarders, at wonderfully low rates, into their households, it is not strange that professors were seldom, like Hutcheson of Glasgow, leaders in scholarship, in history, or in philosophy. As there were no pensions, men practically superannuated, and perhaps deaf, remained firmly in their chairs, the butts of generous youth. Here is an example of easy-going erudition from the University of Glasgow in 1704. Mr Trans had expired, and the new chair of Greek and the teachership of Hebrew were vacant. A Mr Dunlop, son of the late Principal, was appointed to undergo the usual trials

as to his skill in the Greek language, and no more was required of him than an analysis of 'Iliad' viii. 171-181: he had to start from the middle of a sentence! He must have begun with "giving the Trojans a sign, the turning of the course of battle," and must have ended his analysis at a comma, before the conclusion of a sentence, as he commenced in the middle of another. We wonder whether, in line 177, Mr Dunlop read *ol*, or, with Bentley, *ol*, "which," says a recent editor, "is pleasing in itself." The choice of a passage without its beginning or its conclusion *donne furieusement à penser* as to the scholarship of examiners. Obviously they knew nothing about Greek.²⁵ As to teaching Hebrew, "as there is none in the college who can allow so much time for teaching the Hebrew as that language would require except Dr Sinclare, Professor of Mathematics, therefore they recommend him to teach the same to the students," for 300 merks annually. The suggestion is that they could all teach Hebrew equally well, but the time of all of them, except the mathematical professor, was too much in demand.²⁶ Except for the Gregorys, connections of Rob Roy, and for Colin Maclaurin, men distinguished in mathematics and astronomy, the lists of Scottish universities contain no names of European reputation in the first half of the century.

As for the students, by no means all of them were of the social class of Boston, Ruddiman, and many others who, when not supported by bursaries, lived very hardly, and with heroic stoicism, on oatmeal brought from their country homes. How many of these brave lads of promise have perished untimely, practically killed by privation and overwork! With a kind of shame we reflect on the want of liberality towards an education so eagerly desired, and so heroically attained. As late as 1827, at St Andrews, students ranked as "Primars, sons of noblemen; Secondars, what they call gentlemen commoners in England; and Ternars, those of the common ranks of life," so Dr Ferrie explained, with the Bursars who were on the Foundation.²⁷ The Primar in 1827 was extinct,—“the last Primar that was here was Lord Kennedy.” The medals hung on the ancient silver arrow, gifts from the winners in the competition for bowmanship, prove that Primars, like Montrose and Argyll, were often successful; and all the winners are armigerous, so probably they were Secondars, as a rule. As late as 1827 the three ranks paid graduated fees, the Primar, of course, paying most, whereof Dr Chalmers did not approve.²⁸ The students in 1827 rather objected

to the distinction of social ranks as marked by differences of the shape of gowns: all gowns in the Arts Faculty were scarlet.²⁹ (There is no longer, of course, any distinction, except in the tassels of the caps, which indicate seniority.) The Secondars were about a third, or between a third and a fourth, of the whole number of students as late as 1827. Men who could afford to pay a Secondar's fee often preferred to enter themselves as Ternars. It is curious to find that the old social distinctions, which were ordered to cease in 1698, lasted so late. In 1684 the grades paid at different rates for their food, and, in the case of Primars and Secondars, for the food of their servants, and in fees to the servants and regents.³⁰

The practice of living in college rooms lasted longer at St Andrews than in the large towns, and ceased mainly because the rooms were suffered, in the interests of the professors' Candlemas dividends, to become uninhabitable. The writer once met a very aged St Andrews man who remembered the last undergraduate resident in college. He cooked for himself, and pared the skin from his potatoes with his razor. Nine o'clock was the hour for shutting the college gates, and, as discipline was severe, probably men were not allowed to "knock in" after nine. Probably the men at St Andrews who stopped the mail in 1715 were out too late: a Threipland of Fingask has scratched his name and the date, 1715, on the Founder's tomb in chapel, and he and his companions were possibly the Jacobites who committed this outrage.

No amount of discipline represses the spirits of youth. In 1702 the Glasgow wits began a practice of handing in the names of fellow-students, at church, as in special need of the prayers of the congregation. For this deed Patrick Brown, an old offender, was solemnly expelled.³¹ On the same day Samuel Ashmore was charged with assailing at midnight, with his sword, the sergeant of the Guard, and cutting his ramrod in two: Samuel was encouraged by a friend of the gentler sex. The college let Ashmore and two other men off with a reprimand, at the request of the Provost: they had all been skirmishing with their swords. Students were not allowed to wear swords in the streets, but they did so, as became their blood. When praying publicly in the classes, they vented various humours, and the practice was abolished, as not tending to edification.³² Fines were occasionally inflicted, as when

Robert Fulton cut a friend's gown with his knife on the Lord's Day. (Five shillings.) In 1704 there was a great Town and Gown row: the professors did not deny "the huge extravagances and disorders of their scholars," but averred that "there were faults on both hands." The men had seized the keys of the prison and assaulted a house; the town's folk had entered the college in arms, had drawn their swords, and fired on the students in the inner court.³³ Mr Steadman, M.A., in 1712, declared that, if he did not get more drink, he would burn down the college; and the St Andrews men, not long before, had matured a scheme for burning the town. Mr Steadman was a student of divinity: he lost his degree, and was expelled.³⁴ Later he was readmitted. Men too uproarious were imprisoned in the steeple, whence, in 1714, the friends of Joseph Satcher rescued him with violence, breaking in the door. For this offence Thomas Yates was fined eighteen pounds (Scots). In 1722 the men lit a bonfire against the college gate, in honour of a Parliamentary election, and insulted a professor, who probably was of another political party. A kind of proctor was appointed in 1725, to detect students who frequented public billiard-rooms at undue hours. There was even an attempt at a duel, but one of the combatants did not appear on the ground, where his opponent, with his second, was waiting. In short, young men were young men at Glasgow University. But the records are not rich in notices of the freaks of the young barbarians.

To an example set in Glasgow by Professor Francis Hutcheson, the University owed a beneficent change. Hutcheson lectured in English, not in Latin, as the heretical Mr Simson and all other professors lectured. By an English survival of this practice, down to the days of Keble the Professor of Poetry lectured in Latin. The consequence is that his literary criticism is lost to mankind, for nobody has translated his lectures. Another survival of a Scottish custom, not always observed, in the election of professors, endures at Cambridge to the present day. It was the occasional method to make professorial candidates compete for the chair in theses on some philosophical question. In 1906 Cambridge saw three or four of her most learned men compete for the Greek chair, in analyses and comments on chosen portions of the Greek classics,—passages more lengthy, of course, than the ten Homeric lines which sufficed at Glasgow. The Latin of the Public Orator,

at Commemoration, is also a survival, long disused at Scottish universities.

Aberdeen, at the beginning of the eighteenth century, was as poor as St Andrews was chronically. Bishop Dunbar's buildings for students' rooms were almost ruinous, and vain efforts were made to rebuild them; while the Latin teacher "had to rebuild his manse at his own expense, and wait till the finances would admit of the refunding of the money."³⁵ The men, even those on the foundation, rebelled against the wearing of the gown, which has always been more fashionable at St Andrews than elsewhere. They also avoided chapel, and usually came up several weeks after term had begun. No professor of mathematics taught Hebrew at Aberdeen, because there was no professor of mathematics. A Dr Bower was appointed (200 merks of salary) about 1704-1707, but "the mathematical class turned to little account." Dr Bower abandoned the unfruitful task, and fled, probably in search of a livelihood, to London. There was no new appointment till 1732. The students, like those of Glasgow, were rather unruly, and in 1705 broke open the gate of the Tolbooth, made a hole in the roof of a room, and rescued a prisoner. They were fined fifty merks, not expelled like the humorous Patrick Brown of Glasgow. The students had a manuscript periodical, addicted to overmuch blaming of "the dons." Verses were circulated on the defects of the professors, especially of poor Dr Bower—

"Wondrous things don by me,
Who weel can count both 2 and 3,
Likewise I can count 3 and 4;
All this is done by Thomas Bower."

Some testy professor "took the poems very ill, and made ane overture to the Principall that the Rimer's ears should be cropped,"—an unacademic punishment.³⁶ Pitying learned poverty, good Queen Anne, in 1713, gave no less a sum than a hundred guineas annually to each of the Aberdeen colleges. In the 'Fifteen the Jacobite students played their pranks, and eight were expelled for burning the Elector in effigy and publicly drinking the health of King James. Several regents were also deposed for their loyalty to the White Rose. A munificent benefactor arose, Dr James Fraser, who had been tutor to the Duke of St Albans, and was Secretary of Chelsea Hospital. Dying in 1731, he left

money for bursaries, for the salary of a librarian, and for mathematical instruments. He also contributed, *solus fere*, to the building fund.³⁷ The students of our universities did not often show their gratitude in Dr Fraser's way, and the patron of Marischal's College, one of the most open-handed of men, was through all this period a needy Jacobite exile. In medicine the family of Gregory made Aberdeen illustrious. From 1725 to 1755 three of the family were successively appointed professors of medicine. This was not an example of unfair nepotism.

The good Earl Marischal's foundation was rather more fortunate than that of Bishop Elphinstone in obtaining funds for building. Parliament (1695) and charitable "gentlemen in the country" made a grant and gave subscriptions, and the Convention of Royal Burghs followed their example to the extent of about £100. The Senatus also appealed to the commercial Scots resident in Poland (a country where they were still numerous), and in Königsberg and Dantzic. Primars, on leaving college, gave windows to the Hall, and the Earl Marischal of 1700 founded a Chair of Medicine. Most of the Marischal College masters, being Jacobites, were removed after the 'Fifteen: the college was closed, and opened with a new staff in 1717, the Crown succeeding to the patronage of the exiled Earl. Among the old regents was Meston, dimly remembered as a Jacobite poet: his verses have not the merit of the popular songs of the White Rose. Some of these, even in the first period of the Cause, have spirit and passion, though the best, in Scots, were sung when hope was dead. Meston, a convivial humourist, had been tutor to the Jacobite Earl and to his famous brother, the Prussian field-marshal.

A Chair of Experimental Philosophy was founded in 1726, and a Chair of Oriental Languages in 1727, by the Rev. Mr Ramsay, a clergyman in Barbadoes. In 1738 the Senatus, unlike that of St Andrews, "renounced a part of their *private interest* yearly in the College Funds for" the building of a south wing to the college: the town, old students, and the county also subscribed: the architect was William Adam. Aberdeen, town and county, was manifestly more wealthy and much more liberal towards education than the kingdom of Fife.

The library of King's College, begun by Bishop Stewart in 1532-1545, has left few relics in the way of ecclesiastical MSS. These were destroyed by the Earl of Moray and other earnest

men when the Reformation began, just as such books were scattered and blown about the Oxford quadrangles. Later the library depended on gifts of books and on fees for graduation. In 1709 the Scottish universities "received the Stationers' Hall privilege." It appears that at St Andrews the eighteenth century was a period of neglect of the library; very many books which, by virtue of its privilege, it must have possessed are no longer on its shelves, and these are books of general interest. Probably professors took out books all their lives, and did not take the trouble to return them regularly. On the death of the learned man, his library would be sold, the widow, in her turn, not being careful to distinguish his possessions from those of the university. This, at least, is a working hypothesis. In 1727 Dr Hunter attested the good care which the students took of the books.³⁸ Professors "retained books for a considerable number of years," and it was "taken for granted" that the books were safe in their possession. Dr Hunter desired that an annual return of all books should be made. Nobody knew about the books in the hands of professors till these learned men "died or left the college." Probably nobody knew much more after the former melancholy event. The librarian vetoed some books to students much at his own discretion: he names among them 'The Memoirs of Harriet Wilson.' There was no reading-room, and even professors, though they could enter the library in the absence of the librarian, could not get at the books. Students are strange people. All through the librarianship of a Mr Vilant they "greatly abused the books," writing over them, in large, the name of the worthy librarian. This, however, was the freak of a later age, when books were much more numerous than in the first half of the eighteenth century.

It is clear that the chief tendencies of the Scottish universities—the studies in which they mainly shone—were medicine and natural philosophy, before the *Renouveau* after 1745, the times of Hume, Robertson, Adam Smith, and the school of Reid in philosophy. For the higher studies in law men went to the Dutch universities. The age, in the English universities, was also rather somnolent, though the great name of Bentley redeems the period, and, with more wealth and more scholars, Oxford and Cambridge were naturally much in advance of St Andrews and Glasgow.

"In the early part of the century, Edinburgh, which implies all Scotland, was wellnigh destitute of literature."³⁹ The turmoil of

the Covenant and the Restoration, the Revolution and the Risings, with the ecclesiastical brawls, had killed *belles lettres*, while the general poverty made authorship profitless. There was love of literature, but it supported existence mainly on the Latin classics: with these no man can starve. Very early in the century, however, Literary Societies were founded, the members endeavouring to write English in the Southern manner. Ramsay of Ochertyre says that "soon after the extinction of the rebellion of 1715 a number of promising young men began to distinguish themselves in science or polite literature." Their societies held literary debates, essays were read and criticised. "Latin was by this time out of fashion, except at colleges,"—a remark much too sweeping, as the correspondence of the period proves. "For more than a century nothing of character had appeared in the dialect usually called 'broad Scots.'" However, Allan Ramsay, in his 'Tea-Table Miscellany' (1724), revived the good old airs and reprinted some of the good old songs, while, in other cases, new words were substituted. We have already heard Wodrow lamenting the growth of the tree of knowledge in Allan's little circulating library, where novels were to be found and plays. In the shop of this wonderful wigmaker arose the dawn of the literature of modern Scotland.

Allan's 'Tea-Table Miscellany' threw light bridges across the ages, from the time of the old popular ballads to the eighteenth century and the nineteenth, from "Chevy Chace" to Scott. The institution of afternoon tea, the "four hours," is taken for granted, and the kettle sings on the hearth of the Vesta of a new age.

Tea meant the beginning of the end of the old roystering life of punch and claret and drams at every hour of the day, but that age certainly died as hard as it drank. Nearly twenty years after tea and song and chat were an institution in Edinburgh, Duncan Forbes informed the Marquis of Tweeddale that "tea is the principal cause of the [financial] misfortunes we feel." The beverage had become so common that Clementina Sobieski, in her flight to Italy, managed to get tea at a miserable little sub-Alpine inn: the tea, however, was not exquisite. Queen Anne, we know, though the Jacobite song calls her "Brandy Nan,"

"Did sometimes counsel take, and sometimes tea,"

setting the fashion which Scots ladies hastened to follow. Forbes

was anxious to clap a tax of four shillings on every pound of tea, when "the abuse complained of would cease, of course, for it is the meanness of the price that encourages the poorer sort to purchase, and the duty, added even to the low value at which it is now sold, would prove an effectual bar to the use of it among such as have deserted twopenny for it"—that is, twopenny ale. But the extent of the coast, the few Custom House officers, and their corruption, made it impossible to prevent the smuggling of such a light cargo as the herb. Forbes dreamed of placing a poll tax on such families as used tea. But England would resist that, England not being so much hurt as Scotland by what the convivial Duncan calls "this abominable practice." Even servants "make tea their afternoon and morning diet," which causes "the loss of our bullion, and the present poverty of our country." "A most mischievous drug" was tea; but Forbes has to confess that foreign brandy is not much less injurious to the revenue of the land and the constitution of the consumer. His plan for dealing a death-blow at tea was complicated, and in a high degree distasteful to friends of liberty.⁴⁰

The economics of tea have led us away from the rising of literature out of tea, like Venus from the ocean. Allan's 'Tea-Table Miscellany' was wonderfully popular, as he says in his preface to the Fourteenth Edition. The verses were meant to be sung, mainly to old Scottish airs, and, on the wings of music, crossed the Atlantic.

"Here thy soft verse, made to a Scottish air,
Is often sung by our Virginian fair;
Hydaspes and Rinaldo both give way
To *Mary Scott*, *Tweedside*, and *Mary Gray*."

Ramsay encouraged "ingenious young gentlemen," who supplied thirty of his lyrics anonymously. "The rest are such verses as have been done time out of mind, and only want to be cleaned from the dross of blundering transcribers and printers." Unluckily Allan improved as well as cleaned, and conventional verses, in the eighteenth-century manner, deform the best old ballads. "Where Helen lies," the fine lyric of Kirkconnel Lee, is changed into "Ah, why these tears in Nelly's eyes," and so forth. "This is no my ain House" is altered from its Jacobitism, if the Jacobite be the original form; but given an air, fresh words were put to it in every

generation, as in the case of "Auld Lang Syne." In "William and Margaret" we read verses so out of keeping as—

"But love had, like the canker-worm,
Consum'd her early prime;
The rose grew pale, and left her cheek,
She died before her time."

The facetious Scots songs are sometimes left in the original, as in—

"My kimmer and I lay down to sleep,
And twa pint stoups at our bed's feet,
And still as we wakened we drank they dry,—
What think ye o' my wee kimmer and I."

We think the conduct of the pair on a level with their grammar, but Forbes of Culloden must have welcomed them as friends of the revenue. The great point was the return to fashion of Scottish vernacular poetry: without Ramsay's 'Miscellany' Burns might not have been listened to when he wrote in Scots, for the tendency of literature, as Ramsay shows, was to the fine English, and painful anxiety to avoid Scotticisms. It is pleasant to meet, in this galimatias, an unspoiled ballad, such as—

"Ye Highlands and ye Lawlands,
Oh! where hae ye been,
They have slain the Earl o' Murray,
And they laid him on the green!"

Here, too, we find "Hardyknute," that spirited and spurious "fragment of an old ballad," the first thing that Scott spelled out in infancy; the last thing, he said, that he would forget. Here, also, is Hamilton of Bangour's "Braes of Yarrow." Of young Hamilton it is told that he went to Italy in search of health, and was standing on one of the Seven Hills admiring the prospect. A hand was laid on his shoulder, and a voice said, "Do you like this, Mr Hamilton, as much as the view from North Berwick Law?" The speaker was Prince Charles, a fairy Prince, young, gay, and beautiful, who at once made a recruit of the poet. Ramsay had the audacity to include "The Blackbird" in his collection:—

"Upon a fair morning, for soft recreation,
I heard a fair lady was making her moan,
With sighing and sobbing and sad lamentation,
Saying, 'My Blackbird most Royal is flown.'"

The blackbird was the exiled king.

With Ramsay, then, begins the Scottish *renouveau*, the spirit of renewed joy in the country and in the fabled streams, Tweed, Yarrow, Ettrick, names soon to be made familiar to the world; in the old superstitious beliefs, the ancient ballads of the people—in fine, the material of Burns and of Scott. The veteran brigadier, Mackintosh of Borlam, in his ‘Essay on Ways and Means of Enclosing,’ lamented that, “in place of his morning dram, with strong ale at breakfast, he found the tea-table and china and silver equipage brought in, and marmalade, and cream”—with a number of more substantial dainties, he might have added. But the change was not for the worse; moreover, cakes and ale held their sway in a very convivial society. Allan Ramsay failed in the gallant attempt to open a theatre (1736),—the ministers and the magistrates were too strong for him; but within twenty years the Rev. John Home produced that tragedy of “Douglas,” in presence of which Shakespeare, like Racine confronted by Victor Hugo, was reckoned *enfoncé*. “Whaur’s Wully Shakespeare noo?”

In the matter of painting Scotland had ever relied on aliens. Jamieson, in the reign of Charles I., was the only native portrait-painter of note till Allan Ramsay, greatly favoured of the Muses, had a son who studied in Rome, and became Court painter to George III., where Gavin Hamilton, a collector of antiques, was also studying. The walls of houses in town and country contain the staring portraits, and family groups destitute of perspective, which were cheaply limned by strolling Dick Tintos of the period, while the houses of the great nobles were rich in Italian masterpieces, bought during foreign tours, or acquired in the brief years when Charles I. was the leading amateur of his kingdom. It appears that, even before the Union of the Crowns, the unfortunate Earl Gowrie of the mysterious plot had a considerable collection of pictures, necessarily foreign, which probably fell into the hands of James VI.; and, even earlier, a French painter, Jehan de Court (later painter to Henri III.), was in Queen Mary’s suite. Two or three portraits by such French artists survive from the sixteenth century, but there was not a native painter during the period when the Duke of York (James II.) was governing Scotland. Nothing but poverty caused this entire absence of the art: there were no patrons.

The improvement, the progress towards increase of money in Scotland, can hardly have been perceptible in the first half of the

eighteenth century. As late as 1742 Forbes of Culloden, in a letter to Tweeddale, already cited, says, "There is remarkably less coin to be met with than ever was at any time within memory known, even in this poor country, occasioned chiefly by the gradual but continual exportation of our bullion for tea, coffee, and foreign spirits," and by remittances of gold for grain in a recent dearth. "Paper is the only coin that one sees, and even it is far from being in any tolerable quantity."⁴¹

Yet human memory went easily back to the Union, when we know the amount of coin in the country. In 1707, when specie was recalled to the Bank of Scotland for re-minting, the following list was made:—

	Value.
Foreign silver money	£132,080
Scottish coins later than 1673	96,856
Older hammer-struck coins	142,180
English coin	40,000
In all	£411,116

Chambers calculated that of gold coin, in 1707, there probably was not more than £30,000. In 1738 Ruddiman says, "The scarcity of copper money does now occasion frequent complaints." Allowing for coin not sent in in 1707, the coined wealth of Scotland, at the Union, was under £600,000. Yet the amount was even lower in 1742; so the advance due to the Union was not, by this test, conspicuous. The Bank of Scotland, in the alarm of 1708, had very considerable metallic stores, and "kept up an uninterrupted circulation of money." Yet even paper was very scarce in 1742. It is not surprising that, in 1745, the Union was no better loved, except as a Protestant safeguard, than when it was first consummated.⁴²

There were, however, signs of better times approaching, or, at least, of times less impecunious. Scotland had long been a linen-making country: the ladies and their maids spun for domestic wants, "the poor spun for the market," in the villages there were weavers like Tod Lowrie in the romance.⁴³ Forbes, in his melancholy description of the economical condition of a tea-drinking Scotland, reports that "our linen manufactory is in a very thriving way. There is a commendable spirit of launching out into new branches of the linen manufactory, such as thread, stockings, tapes, figured work for table-linen. . . . I must not conceal that it is the *only* thing that promises any good to this poor country. The

fishery has totally failed for some years," apparently for lack of enterprise or energy, or both, for the Dutch fishers, as in the days of Elizabeth and James VI., were catching abundance of fish off our coasts. The war with Spain pinched the foreign trade of Glasgow; in fact, linen-making was the country's only successful industry.

The thread-making industry of Renfrewshire was also beginning: in its history we see the step from the old Scotland to the new. The subject has already been alluded to, but is curious enough to deserve further notice in a chapter on social life. The Shaws of Bargarran, in the parish of Erskine, on the south side of the Clyde, were of old family: we have met Sir John Shaw of Greenock at Sheriffmuir, and in the strange affair of the slaying of two brothers by the Master of Sinclair. In February 1697 the Privy Council held an inquiry on the case of Christian Shaw, a girl of eleven, daughter of the laird of Bargarran. In August 1696 Christian had informed her mother of some small pilfering by one of the maids. The woman thrice solemnly cursed the child in the name of God, and uttered the wish, so terrific to a tender imagination, that her soul might be "harled [dragged] through hell." It may be observed even now, and in savage as well as in civilised countries, that a great nervous and mental shock is occasionally followed by very singular phenomena connected with the sufferer. Thus cases of the *poltergeist*, of unexplained noises and movements of objects, follow on such shocks, whether the sufferer, being hysterically affected, produces them with the insane cunning of the malady, or whether there be developed some unexplored cause. The sequence may be noted in modern examples, from the log cabins of Red Indian trappers to the houses of the poor in large English towns and the cottages of Devonshire peasants.

Christian's symptoms appeared five days after the curse was pronounced. She bounced from bed, shrieking "Help! Help!" leaped up in an amazing manner, and was said by witnesses to have been "levitated," or borne through the air—a statement which constantly recurs in Lives of the Saints, and trials for witchcraft, as in the work of Iamblichus, the old mystic correspondent of Porphyry. As usual, Christian's body became rigid; "she stood like a bow on her feet and neck at once;" there were "risings and fallings of her belly," as in that parallel modern instance, "the Amherst Mystery." No doubt these symptoms were due to the shock caused by the curse; but now the prevalent superstition

came into play, and the child declared that she saw Catherine Campbell, who had cursed her, and an old Agnes Naismith, reputed a witch, tormenting her. Exactly the same stories were told by two boys, the victims of a supposed sorcerer's curse, in a singular trial held at Cideville, in France, in the reign of Napoleon III. The malady is unvarying in its symptoms.

After two months Dr Brisbane of Glasgow was consulted, and diagnosed the case, quite correctly, as a "hypochondriac melancholy,"—that is, what we now call "hysteria" for want of another word. The child, on returning home, was no better for the doctor's medicines, but rather the worse. On her return to consult Dr Brisbane again, she spat out "straw, hay, hair, wool, cinders, feathers, and such like trash," which, as she insisted, were thrust into her mouth by tormentors visible to her but not to others. The doctor "was confident she had no human correspondent to subminister" the trash, such as "a cinder not only dry but hot, much above the degree of the natural warmth of a human body." There were other symptoms, "such as I should not despair to reduce to their proper classes in the catalogue of human diseases." Unluckily these symptoms were universal in sufferers from witchcraft, though their real origin was the perverted cunning of "hypochondriac melancholy." The child was found to have a ball of hair in her pocket! Catherine Campbell continued to curse her publicly, was imprisoned, and tormented Christian no more. But the wretched child, now as much in the public eye as her diseased vanity could desire, kept adding new names, both of men and women, to the list of her visionary tormentors. She glided about the hall and stair to the court door, "her feet did not touch the ground so far as anybody was able to discern." The same story was told of Jeanne d'Arc in her childhood, and may be assigned to malobservation. She was "carried" to the top of the house and down to the cellar in a way incomprehensible to the parish minister, and she developed clairvoyant faculties, knowing things that she was supposed incapable of knowing normally. She said that the news was communicated to her by voices; in short, she was a splendid case for the psychological inquirer.

The Commission appointed by the Privy Council, after reading the evidence, went to Bargarran, Lord Blantyre being chairman, and examined the accused; a fast, with prayer in church, was held

in the afflicted parish. Once, addressing a viewless tormentor, Christian asked, "Where gat you these red sleeves," made a plunge in the right direction, and showed a piece of red cloth which she had torn from the witch. The young patient must have "palmed" the red cloth, but witnesses were much impressed.

On March 28, 1697, Christian suddenly recovered her normal health.

The Lord Advocate, the shifty Sir James Stewart, prosecuted the six prisoners, and, after a deliberation of six hours, the jury found them all guilty. They had made the usual confessions about their league with the devil. One man committed suicide in prison: the rest were hanged, and then burned.

Thirty years later Christian, now Mrs Miller, wife of the minister of Kilmaurs, founded the Renfrewshire thread manufactories. Being very dexterous in spinning fine yarn, she tried to make thread out of it, bleaching her experimental results on a slate outside of her window. Her sister helped her, and Lady Blantyre, on a visit to Bath, found purchasers among the lacemakers. A member of the family in Holland surprised the secret of the thread manufacture in that country, and the construction of the machines, which he carried to Bargarran. A mill was set up, and Lady Bargarran advertised her goods with the trade mark, the Shaw blazon, "*azure, three covered cups, or.*" The Scots gentry had no scruples about going into trade. A spool of Lady Bargarran's thread is in the Museum of the Scottish Antiquaries.⁴⁴

The sister of Fletcher of Saltoun did more, perhaps, for her country than his eloquence ever achieved, by learning some Dutch processes, and producing Hollands linen at a low price. Twenty years after the Union, the funds promised by the Treaty were at last given to the encouragement of native manufactures, and Argyll headed a Linen Company, with a capital of £500,000 out of which (1747) grew the British Linen Company Bank.

A sign of more restful times was the love of planting trees, which the Earls of Argyll and Atholl had been manifestly doing before Argyll's Rising in 1685, for they reciprocally accused each other of destroying plantations at Inveraray and Blair of Atholl. After 1716 Grant of Monymusk is said to have planted 50,000,000 of spruce firs; and the Whig Duke of Atholl was a great planter. Another and earlier "improver" and planter was the actual husband of the lady best known to the world as "The Bride of

Lammermoor." Macky, in his 'Journey through Scotland' (1723), dilates on the groves round the houses of the great; Burt, in 'Letters from the North,' declares that he exaggerates, in a spirit of patriotism. Macky certainly makes Scotland "set her best foot foremost" in his descriptions, but, despite his name, gives a very unkind account of the clans. Their Jacobitism, he says, does not arise from love of the Stuarts, but from an inveterate tendency to be "against the Government." This traveller, from his ignorance of certain Scottish customs, appears to have been bred in England. How he was enabled to give a minute account of "The Honours of Scotland," popularly supposed to have been locked up in the Castle at the Union, and unseen by human eye till the time when Scott was present at the opening of the chest, is rather a mystery.⁴⁵

To the curious in Scottish gardening, the 'Letters of John Cockburn of Ormistoun to his Gardener' (1727-1743) are full of interest.⁴⁶ This gentleman was the last of the old Protestant and Whig House of Ormistoun, prominent in our history since the reign of Queen Mary. In the ruined *château* is shown the window of a room in which the martyr George Wishart is said to have been imprisoned after his capture by Bothwell: here, too, is a yew-tree of authentic antiquity (1474) under which Wishart is said to have preached. Cockburn alludes to it in his letters to his gardener. It was in England, in the pleasant county of Herts, that Cockburn learned his gardening, hedging, and culture of turnips and potatoes, in a time when Scottish timber was so scarce that he actually sent down a plank from London! He founded an agricultural club: among the members were the chief of the Macleods, a dweller in remote Dunvegan; Anderson of Whiteburgh, who steered Prince Charles through the morass to victory at Prestonpans; Colonel Gardiner, who fell there bravely; and the Jacobite Duke of Perth, who did not survive the sufferings of 1745-46. Gardening consoled the bereaved. Cockburn writes, "Archy Pringle, who has lost his wife, talks much of his onion-seed, so I send you a little of it to give it a fair trial." Cockburn must have ruined himself in improvements made while his estate was heavily burdened by a debt of £10,000: in 1747-49 he sold Ormistoun to the Earl of Hopetoun, in whose family it remains. These useful improving lairds were not infrequently martyrs to agricultural science, but their works lived after them.

NOTES TO CHAPTER XVI.

- ¹ Ramsay, ii. 188, 189.
- ² Cf. *Social Life of Scotland*, Henry Grey Graham, i. 157, for abundant references.
- ³ Wodrow, *Analecta*, iii. 152.
- ⁴ Wodrow, *Analecta*, iii. 170.
- ⁵ *Social Life of Scotland*, i. 171-173.
- ⁶ *Scotland and Scotsmen*, ii. 243.
- ⁷ *Social Life of Scotland*, ii. 155, citing 'Munimenta Univ. Glasgow,' ii. 549.
- ⁸ *Social Life of Scotland*, ii. 159.
- ⁹ Grant, *Burgh Schools*, p. 479.
- ¹⁰ Grant, *Burgh Schools*, pp. 474, 475.
- ¹¹ Lovat to Islay, May 27, 1737. Hill Burton, 'Lovat and Duncan Forbes,' pp. 202, 203.
- ¹² *Social Life of Scotland*, i. 52, 53.
- ¹³ *Life of Thomas Ruddiman*, by George Chalmers, 1794.
- ¹⁴ Grant, *Burgh Schools*, p. 462.
- ¹⁵ Chambers, *Domestic Annals*, iii. 584.
- ¹⁶ *Story of the University of Edinburgh*, i. 269.
- ¹⁷ Grant, *Story of the University of Edinburgh*, i. 267-270.
- ¹⁸ Report of Commission on Scottish Universities, pp. 216-220 : 1837.
- ¹⁹ *Munimenta Univ. Glasgow*, ii. 390.
- ²⁰ Maitland Anderson, *Matriculation Roll of the University of St Andrews*, 1905.
- ²¹ Grant, *Edinburgh University*, i. 259-263.
- ²² Report, 1837, p. 290.
- ²³ Report, pp. 313-315 : 1837.
- ²⁴ *Social Life of Scotland*, ii. 190, note 3. I have not discovered the authority for the statement.
- ²⁵ *Munimenta Univ. Glasgow*, ii. 385.
- ²⁶ *Munimenta Univ. Glasgow*, ii. 386.
- ²⁷ Report, p. 35 : 1837.
- ²⁸ Report, p. 81 : 1837.
- ²⁹ Report, p. 85 : 1837.
- ³⁰ *Social Life in Scotland*, ii. 191, citing 'Scottish Antiquary,' xi. 19.
- ³¹ *Munimenta Univ. Glasgow*, ii. 373.
- ³² *Munimenta Univ. Glasgow*, ii. 375.
- ³³ *Munimenta Univ. Glasgow*, ii. 381.
- ³⁴ *Munimenta Univ. Glasgow*, ii. 404.
- ³⁵ Rait, *The Universities of Aberdeen*, p. 185.
- ³⁶ Rait, *The Universities of Aberdeen*, pp. 187, 188.
- ³⁷ Rait, *The Universities of Aberdeen*, pp. 193-195.
- ³⁸ Report, p. 22 : 1837.
- ³⁹ *Social Life in Scotland*, i. 110.
- ⁴⁰ *Culloden Papers*, pp. 191-195.
- ⁴¹ *Culloden Papers*, p. 189.
- ⁴² Chambers, *Domestic Annals of Scotland*, iii. 330-333.
- ⁴³ *Catriona*, by R. L. Stevenson.
- ⁴⁴ Chambers, *Domestic Annals of Scotland*, iii. 509-511.
- ⁴⁵ Macky, *Journey through Scotland*, pp. 266-273.
- ⁴⁶ *Scottish History Society*, 1904.

CHAPTER XVII.

THE EXILED COURT. THE AFFAIR OF PORTEOUS. BEGINNING
OF "THE 'FORTY-FIVE."

1728-1745.

RETURNING from the social aspect of Scotland to the political history of the country, we find it almost empty of interest. Scotland seemed to have settled down to a quiet, only broken by the divisions in the Kirk and the skirmishes of Argyll's faction and the *Squadron*. Wade's roads were driven through the disarmed North, and Jacobitism appeared to be an extinct volcano. The affairs of the exiled Court are hardly more interesting than the records of a house full of quarrelsome servants, under a master and mistress who are on bad terms. Atterbury was no sooner out of one quarrel with Murray (Dunbar) than he engaged in another. It is conceivable that he desired to be made Governor to Prince Charles—a post occupied by Murray. James suffered enough for his appointment of a Protestant layman: Atterbury was an impossible tutor, a violently anti-Popish divine, who could not have been employed in Rome. Perhaps he had no such ambition, though his biographer, Mr Folkestone Williams, thinks that Murray irritated him by his pride in his new office.¹ James replied to a peevish letter of Atterbury with his wonted gentleness and much-enduring patience.

"I was very glad to see from your letter . . . that your health was so much better as to allow you to write even upon subjects disagreeable both to you and to me; and I hope you are thoroughly persuaded of the great value and esteem I have for you."² Atterbury could not be persuaded: he was full of jealousies and grievances, and of bodily aches and pains, which did not improve his

"peculiarly domineering and quarrelsome temper." Indeed, his health made him scarcely capable of conducting business with tact and coolness. He liked, and was grateful to, the young Duke of Wharton, who had made a brilliant speech in his defence at his trial, and, in 1726, was rushing about the Continent, full of wit, wine, and headlong folly. Vienna, Paris, Rome, and Madrid saw this Jacobite meteor, so rich in promise, so barren in achievement. In April 1726 the British Resident at Madrid, Mr Keene, met Wharton at the house of the Duc de Liria, son of Marshal Berwick. Wharton, for long, "had not been sober, or had a pipe out of his mouth." "It is in my power to make your stocks fall as I think fit," said Wharton. "My master is now in his post-chaise, but the place he designs for I shall not tell you. . . . Hitherto my master's interest has been managed by the Duchess of Perth, and three or four old women who meet under the portal of Saint Germain: he wanted a Whig, and a brisk one, to put them in train, and I am the man. You may look upon me, Sir Philip Wharton, Knight of the Garter, and Sir Robert Walpole, Knight of the Bath, running a course, and, by God! he shall be hard pressed." Wharton was drunk: he challenged Keene, then he sent an apology.³ He was found in the camp of the Spanish army besieging Gibraltar, was proclaimed a traitor and forfeited, and died in poverty in Spain. So the hopes lit by the brilliant Wharton died out, like so many others. In 1727 Walpole used a story of a Spanish and Imperial plot to restore James as a means of getting large supplies from Parliament.* The Cause was a bugbear, useful to Walpole, useful to the foreign Courts which thought that James might be serviceable in the case of a rupture with England, and he lived in expectation, long deferred, of such an event.

In June 1727 Atterbury, always discontented, assured James of his readiness to resign his post at Paris. "Vain airs have been taken up, and lessening things said of me:" it is always the same story.⁴ Then came the sudden death of George I., and the Earl of Strafford had to tell James that the event in no way improved his prospects, and that his English friends were devoted to "common prudence" (June 21, 1727). For his part James did enter his chaise, and went to Lorraine, whence (August 9, 1727)

* See the reports of a spy, R. R. (Rob Roy?), on the Highland preparations, in Colonel Allardyce's 'Historical Papers' (New Spalding Club).

he informed Atterbury that he was to be driven in three days. France had put pressure on the Duke of Lorraine; "he cannot resist superior force, neither can I, so I leave this place on Monday next. . . . The world shall see that I have done my part, and have not returned to Italy but by force."⁵ "Caution and fear" ruled the English Jacobites, as Atterbury said, quoting Lord Orrery to the effect that they would not move without the aid of a foreign army of 20,000 men.⁶ Atterbury thought that Cardinal Fleury would allow James to settle at Avignon,—a vain speculation.

At Avignon, Inverness (Hay) was living, a fugitive from the temper of Clementina. On St Andrew's Day 1731 Inverness professed himself a Catholic, and the last public act of Atterbury, who died on February 15, 1732, was to scold him for his change of creed. Atterbury said that *he* ought to have been consulted: he might have shown Inverness the errors of his new ways. He then added everything disagreeable that he could think of,—for example, that Inverness's convictions were a last despairing effort to regain his place as James's Minister. Obviously his conversion, in fact, made his reinstatement impossible. Others, says Atterbury, regard Inverness as a spy and traitor, like Mar, whom the prelate never forgave. Now, Inverness was turning Catholic for the purpose of raising prejudice against the master whom he had betrayed. "They impute to your Lordship views which your heart, I hope, abhors." "No one person whom I have seen or heard allows what you have done to be the effect of conviction."

Shortly after making these candid and consistent statements, Atterbury left a world of which he had not made the best. Much trouble arose over his papers. The English representative in Paris wanted "the fingering of his papers"; Father Innes succeeded in having them removed to the Scots College,—a great receptacle of Jacobite archives; and Atterbury's son-in-law, Mr Morice, anxiously desired to possess them. James was certainly the person most interested in the safety of the MSS. so eagerly sought for by the English Government. Finally, the letters especially concerning James, and those of Ormonde and the Earl Marischal, were sealed up and left at the Scots College. Probably they were destroyed, with many other MSS. entrusted to the College, at the French Revolution. The papers as to Atterbury's trial (which could not have cleared his reputation) were informally detained, apparently as damaging to Pulteney, who in 1732, as an opponent

of Walpole, might be leaning towards Jacobitism, or expected to serve the Cause. The detention of these papers irritated the Rev. Ezekiel Hamilton, a silly meddlesome Jacobite, whose letters reveal his abundant lack of sense. When Atterbury's corpse was landed in England, the coffin was broken open by order of the Government, in the hope of finding documents. Atterbury was at last laid to rest in the vaults of Westminster Abbey, and a foolish vapouring Latin epitaph about "Robertus iste Walpole" was composed for his urn: as it stands, the grammar is as absurd as the sentiments.⁷

In Paris, henceforth, James's affairs were mainly in the hands of Lord Sempill,⁸ O'Brien (whom he created Lord Lismore), and General Dillon.

These affairs were like Penelope's web, constantly woven and unwoven, and changing with every change in the alliances or quarrels of Europe. The health of Clementina declined, her devotional ardour increased, she corresponded constantly with a priestly confidant, and her temper did not improve. "I will be very dutiful to mamma and not jump too near her," says her little son Charles, in a letter to his father, already quoted, the earliest that has been preserved. His caution indicates the condition of his mother's nerves.⁹ A Mr Stafford was placed (1728) under Murray as the Prince's tutor: he long remained in his service.¹⁰ At seven the Prince could read, and was learning to write: his was always a sprawling schoolboy hand, and his spelling never ceased to be purely phonetic, unlike that of his father and brother. He spoke and wrote French and Italian with the same amount of accuracy, and it must be confessed that his conqueror, William, Duke of Cumberland, wrote a better hand, and spelled more like a man of this world. Whether it was the fault of Murray or of Sheridan, of Stafford or of James himself, the little Prince was very ill-educated.

He was a strong, lively, careless child, not amenable to authority. In 1727 J. E., probably James Edgar, the king's private secretary, describes Charles as an accomplished rider, a good shot, and alert at tennis and shuttlecock, while nobody was a better dancer at the balls in season of carnival. The Duke of Liria mentions his "great beauty,"—he had large merry brown eyes and bright hair,—“and altogether he is the most ideal prince I have ever met in the course of my life.”¹¹ The early portraits, now so melancholy to look

back upon, confirm this description. Charles had the spirit and gaiety that were wanting in his father; but his father's virtues, religious and moral, were not conspicuous in him. A more unruly boy never was, and he was never broken in to authority of any kind. In the quarrels of the jealous little Court he would be of his mother's party, as his mother was opposed to his Governor, Murray, and was not likely to support that tutor. Between Charles and his little brother, Henry, there was the liveliest affection, though observers already report their characters as entirely contrasted: "They are of mighty different tempers," writes James to Father Innes. Later he reports that Charles is singularly innocent in certain matters: he had not the amorous complexion of the Stuarts: he was pursued by the sex, to whom, if there were any chance of active occupation, he was very indifferent.

He became a mighty golfer, but by 1734, at the age of thirteen, "he has got out of the hand of his governors," writes the Earl Marischal, who never liked the Prince, and preferred his gentle, winning younger brother, the Duke of York. With "a body made for war," as his enemy, Lord Elcho, confesses, and with his high spirits and ardent desire to recover his father's crown, Charles was the sole and lively hope of his party,—all the more as his mixed education had early taught him, so he himself says, to hold very lightly by his father's creed. He had smallpox in 1730, but his complexion, like that of his ancestress Queen Mary, escaped uninjured. At this time the much-enduring James found the temper of Clementina so trying that he desired to find "some prudent means of separation." But in 1731 she began to be more devout than ever, and even conceived it to be her duty to receive Murray. James corresponded with Hay, and confided rather more than was necessary about the difficult temper of Clementina.

About 1730-1734 the Earl Marischal, now a respectable veteran of the Cause, was in Rome, and reports the jealousies of the Court. They formed, with the little princes, a mock "Order of Toboso," and excluded Murray because he "failed in respect to their ever-honoured protectress," Lady Elizabeth Caryl.¹² Charles was accustomed to see his Governor made the butt of the Earl's party, and thus were his chances of education ruined. He never treated Murray with respect or even with courtesy: we read the tutor's complaints in letters to James. The Earl Marischal was not happy in Rome; he thought it no place for an honest man; his plan for removing

the Prince to Corsica was set aside, and James, after Clementina's death, was passing his time in tears and prayers at her tomb. By 1734 they had become entirely reconciled. Ezekiel Hamilton had written to her a letter apt to revive the old quarrel: she showed it to James, doing, he says, "what was like herself, and what I took very kindly of her." Happiness, beyond all hope, was returning to the pair, but Clementina's health was rapidly failing. Their true honeymoon was followed by the queen's death, in January 1735, and by the misery of her husband.

The queen had lived just long enough to know the pride and the anxieties of a mother whose son is in the wars. In June 1734 the Duc de Liria invited Prince Charles to join the Spanish army then besieging the Imperialists in Gaeta. The Prince went off in glee, attended by Murray, Sir Thomas Sheridan, and two friars, probably despatched by Clementina. Arrived at Gaeta, the Prince begged to be allowed to go into the trenches, but, as the King of Naples did not choose so to hazard his own Royal person, permission was refused. The boy did manage to get under fire, in a house which was being battered by the artillery of the besieged, remaining after the generals of his party had retired to a less exposed position.

The Prince had plenty of courage as regards the perils of war: his departure from his army after Culloden was caused by the anxieties of one who had a price of £30,000 on his head, and was constantly warned of treacherous enterprises against his life. Nobody denies that, at Derby, he alone was anxious to advance though three armies larger than his own were on his front, flank, and rear. His conduct under fire, as a boy, was all that his party could wish; but his Spanish friends petted him, and we learn that he over-ate himself, and, like most boys, hated the trouble of writing letters to his people. His exploits made him not less wilful than he had been, and his tour as Count of Albany through the great cities of northern Italy (May 1737) was too brilliant for his head. He treated Murray no better than usual: "He gives us rather more uneasiness when he travels," Murray wrote to James. Meanwhile he had his great purpose before him: he hardened himself by long marches and by frequent shooting expeditions in the hills, and he acquired, for pacific purposes, considerable skill in music.

By the time he was seventeen, when the war between England and Spain broke out,—the "war of Jenkins's ear,"—the Jacobites knew that, in case of a rising, they had a leader both audacious

and popular. This was visible to the scheming and ambitious old Lovat, who in 1737 wrote a long letter to Islay, to clear himself of suspicions of Jacobitism.¹³ Lovat (1736) had connived at the escape of the celebrated Jacobite, John Roy Stewart, from the prison of Inverness, and a witness declared that he had heard Lovat give Stewart, when he sailed for the Continent, a message of devotion to James. "He charged him to expedite sending his commission of Lieutenant-General of the Highlands, and his patent of a Duke."¹⁴ He was deprived of his colonelcy of an Independent Company, and of his sheriffship; so he left off courting Islay, and betook himself to the Duke of Argyll, when the affair of the Porteous Riot gave rise to a patriot party.

The story of the slaying of Porteous, Captain of the Edinburgh City Guard, by the mob has been so admirably narrated by Sir Walter Scott in 'The Heart of Mid-Lothian,' that no incident in Scottish history is more generally known. Scott uses the novelist's privilege, and gives his narrative, as was his custom, "a cocked hat and a sword," making Robertson no ordinary smuggler, but a young Englishman of good family, and introducing a humble heroine, Helen Walker, in the character of Jeanie Deans: for the rest, his account is history.

In the spring of 1736 one Andrew Wilson, with a comrade named Robertson, smugglers, had been sentenced to death "for robbing a custom-house, where some of their goods had been deposited,"—a feat by no means unpopular, as the excise and customs were generally detested. The culprits, on the Sunday before the day of their execution, were taken, as the custom was, to the Tolbooth Church to hear their last sermon. Dr Carlyle, then a boy, was present "in a pew before the gallery in front of the pulpit," and the culprits sat "in a long pew not far from the pulpit. Robertson sat at the inmost corner of the pew, and Wilson below him": each man was guarded by two soldiers. While the people were flocking in, Robertson leapt over the pew into the passage that led to the church door opening into Parliament Close, and escaped without opposition,—the more readily as attention was fixed on Wilson's struggle with the soldiers. His first intention was merely to escape, says Dr Carlyle; he had his foot on the seat to leap when he was seized. He probably protracted his struggles to divert attention from his comrade, who, says Dr Carlyle, was heard of no more till he was safe in Holland. There was much sympathy

with Wilson, as "the better character of the two." This led to the opinion that an attempt would be made to rescue Wilson at the gallows on April 14.¹⁵

One of the Lieutenants of the Town Guard, who had to keep order on such occasions, was John Porteous, who appears to have risen from the ranks and received a lieutenant's commission in the army. His behaviour, says Carlyle, was gentlemanly, and, as a celebrated golfer, he was popular with his social superiors, which "added insolence to his native roughness." The magistrates had borrowed three companies of an infantry regiment, and the sight of them is said to have irritated Porteous, who likewise was heated with wine. Carlyle, against his inclination (he had seen one hanging, and wished to see no more), was taken by his tutor to view the scene from a window in the Grassmarket. The crowd was great, but "there was not the least appearance of an attempt to rescue." The boys and blackguards merely threw stones and mud at the hangman, as was their custom. Porteous, however, gave his guard orders to fire, "and when the soldiers showed reluctance, I saw him turn to them with a threatening gesture and inflamed countenance."¹⁶ Some of the men fired high, and killed people in the windows overlooking the street. In the street itself several people fell, and lay dead or wounded when the crowd dispersed. The indictment against Porteous accused him of firing himself, taking aim at and shooting a confectioner, before his men had fired. He also caused his men to shoot when they were at the West Bow, and some seventeen or eighteen men and women, named, were killed or severely wounded.

For Porteous it was urged that a severe attack was made on his men; that there was appearance of an attempt to secure Wilson's body, with a view to resuscitating him; that his guard fired without orders, and in spite of his efforts to stop them; and that he did not on either occasion, in the Grassmarket or at the West Bow, fire himself.¹⁷ As for the man said to have been shot by Porteous, it was urged that he had cut down Wilson's body, and was shot by one of the guard, of his own motion.¹⁸ The guard was ill-disciplined, and, without Porteous's orders, had on a former occasion fired on a mob at the settlement of an unpopular minister in the West Kirk.¹⁹ Such credible witnesses as Sir William Forbes and the Hon. William Fraser, a son of Lord Saltoun, declared that they had seen Porteous shoot before they saw any of the guard present

their pieces. Other witnesses gave accounts much more favourable to the accused: the firing was sporadic, without orders, and Porteous cried "Do not fire!"²⁰ On July 20 the jury unanimously returned a verdict of "Guilty" against Porteous, though the evidence printed leaves the question of facts obscure. Porteous was condemned to be executed on September 8. He petitioned Queen Caroline, for King George was abroad, pointing out the discrepancies in the hostile evidence, which were great. On August 26, a respite for six weeks was granted,—a measure very defensible, but very irritating to the community. "So prepossessed were the minds of every person that something extraordinary would take place," says Dr Carlyle, "that I, at Prestonpans, nine miles from Edinburgh, dreamt that I saw Captain Porteous hanged in the Grassmarket." This dream was of the night of September 7. About 5 A.M. on September 8, mounted men, riding through Prestonpans, brought the news that Porteous had been hanged on "a dyer's tree at 2 A.M."²¹

The official account of this outrage, sent by the Lord Justice-Clerk, Andrew Fletcher of Saltoun, avers that, as early as September 4, there was a surmise that the mob meant to burn down the Tolbooth, where Porteous lay, on September 8. The magistrates held an inquiry, to no result. About 10 P.M. on the 7th the magistrates had notice that a few boys were beating the West Port drum, and they instantly ordered the Captain of the Town Guard to have his men under arms. They were, however, surprised and disarmed by the mob, who seized some ninety firelocks and all the gates of the city. The magistrates then sent Patrick Lindsay, Esq., late Provost, to General Moyle, commanding the troops. He escaped by the Potter Row port, and went to the General at Abbey Hill, arriving by a quarter to eleven. Moyle himself says that, being in bed about a quarter past ten, he heard of the riot from Colonel Pears, commanding Sabine's regiment in the Canongate. Moyle gave orders that the six companies at Abbey Hill and three from Leith should parade near the guard in the Canongate. Mr Lindsay then arrived, and Moyle told him that he could not force a way into any of the city gates without a legal authority from the Lord Justice-Clerk or some other Lord of the Justiciary. As the Lord Justice-Clerk lived within three miles, Moyle sent a galloper with a letter to him. The reply was not ready till about 1 A.M., and was directed to Lindsay. Presently

Porteous was seized,—the door of the Tolbooth having been destroyed by fire,—was carried in an orderly manner to the Grass-market; a rope was found in a shop, a guinea was left to pay for it, and Porteous was hanged to a dyer's pole. The crowd, which was well organised and committed no casual outrages, then dispersed, having accomplished its purpose.

Moyle severely blames the magistrates for not placing Porteous in the Castle, for sitting drinking in the Parliament Close without reading the Riot Act, and for neglecting to place the port next the Canongate in the hands of regular troops. "I do not hear [September 9] that any of the criminals are yet apprehended, though well known by many inhabitants of the town." The Lord Justice-Clerk defended the magistrates, who attempted, he says, to disperse the mob at the Tolbooth, but were threatened with musketry-fire. From Fletcher's account Porteous was hanged before twelve o'clock at night.²²

Writing to Walpole on September 16, Fletcher attributed the leadership in the affair to smugglers, friends of Wilson and Robertson. He entirely despaired of finding evidence against the chief agents, who were disguised, and protected by the sympathy or timidity of witnesses. Carlyle says that the Western Covenanters were foolishly suspected: they had recently renewed the Covenants on the Pentland Hills. The real agents were friends of Wilson,—not, as Islay supposed, political enemies of the Government. The legend that Queen Caroline threatened "to make Scotland a hunting-ground," and that Argyll replied, "In that case I will take leave of your Majesty, and go down to my own country to get my hounds ready," is better known than attested. Argyll's brother, Islay, was not of his mood, and hurried to Edinburgh to make inquiries. He found that some prisoners had been arrested, but had provided themselves with witnesses to swear *alibis*. Islay wrote to Walpole: "The most shocking circumstance is, that it plainly appears the High Flyers of our Scottish Church have made this infamous murder a point of conscience. One of the actors went straight away to a country church, where the Sacrament was given to a vast crowd of people, as the fashion is here, and there boasted of what he had done. All the lower rank of the people who have distinguished themselves by pretences to a superior sanctity speak of this murder as the hand of God doing justice. . . . I have conversed with several of the parsons, and I observe that none of

those who are of the High party will call any crime the mob can commit by its proper name. . . . I could hardly have given credit to the public reports of the temper of these saints if I had not myself been witness of it. . . ." ²³

Islay now menaced the magistrates with the displeasure of Parliament—in fact, the magistrates had behaved in their usual careless way. How the question of religious conscience was involved is not clear, unless the hatred of the Union with prelatie England, and the interference of the Crown with the speedy execution of Scottish justice, influenced the High-Flying ministers. The Lord Advocate, Erskine of Tinwald, drew up a report in 1737, describing the magistrates as "struck all of a heap," and the town as intimidated. Fletcher's inquiries, privately conducted, were not aided by the magistrates: the witnesses were under abject terror at first; later, a little evidence came in, and a few unimportant arrests were made of "insignificant pitiful creatures" on inadequate evidence; others lurked, or fled to Holland. Erskine and Fletcher found that "they laboured exceedingly against the stream." ²⁴ Walpole desired to punish Edinburgh as a whole, and (April 19, 1737) a Bill was brought in to disable the Provost, Mr Wilson, from official employment, to abolish the Town Guard, and to take away the gates of the Nether Bow port. Three Scottish Judges were summoned from Scotland to be examined: they were not allowed to sit on the Woolsack, but appeared at the Bar, in their robes,—a proceeding opposed by Argyll, Islay, Atholl, Newcastle, and others. ²⁵

Argyll, admitting the "folly" of the Provost, denounced the procedure as "harsh and unprecedented." If Edinburgh and the Provost suffered, the thing would be "cruel, unjust, and fantastical." To pass the Bill was beyond the powers of the Legislature, and contrary to the Treaty of Union. In case of trouble, the condemned Nether Bow port could easily be barricaded by the mob, and, as it stood, it was of use for custom-house purposes. As for the Town Guard, it had done good service in Mackintosh's attempt on the town in 1715, when, as the Duke said, he had only 1700 men under his command. A few fanatical preachers were responsible for Scottish turbulence: his Grace appears to reflect on the leaders of the Secession, "lately started up," or, if he does not, then some other preachers had recently emerged into notoriety. Hardwicke replied, and Argyll made a personal

speech about his own purity and candour, and about his family, which he said "has been always persecuted," while, somehow, "there is none whose property is so extensive as my own."²⁶ How a family never free from persecution acquired so large a property the Duke did not explain.

In the Commons Mr Lindsay, who visited Moyle at night, made a spirited defence of his constituency. He laid all blame on the multitude, inflamed by the clergy, and their talk of "iniquity established by law"—the law of Patronage.²⁷ These ministers were "a wild, hot-headed, violent, High Church" minority, "who are not to be satisfied with any power unless they possess all power." They had taught the low people that *one* law was iniquity: their parishioners extended the principle to any law which hampered their desires. Hence arose "a new heretical sect of Smuggling." In a letter to the Press (June 17) Lindsay declared that none of the Edinburgh preachers fell under his censure, which makes us wonder who the High Flyers mentioned by Islay can have been—the ministers who thought killing no murder. In a later debate Duncan Forbes defended the conduct of the Provost, and General Wade defended the cautious conduct of General Moyle; while Walpole declared that he would treat any English burgh, in similar circumstances, as he desired to treat Edinburgh. Finally, amendments reduced the Bill to the disablement of Provost Wilson from office, and a fine of £2000 on the city for the support of the widow of Porteous. Unluckily a clause was added compelling the Scottish clergy to read from the pulpit, monthly, a proclamation bidding their hearers exert themselves in the cause of justice against the murderers. This was an assault on High-Flying consciences; and, says Carlyle, people believed that the clause was meant to purge the Kirk of fanatics, who had been denounced by Argyll and Lindsay. The Moderates induced many ministers to refuse obedience, "that the great number of offenders might secure the safety of the whole." At least one-half of the clergy disobeyed; but "the anxious days and sleepless nights of such ministers as had families, and at the same time scruples about the lawfulness of reading the Act, were such as no one could imagine who had not witnessed the scene."²⁸ Carlyle's father suffered much, as Lord Grange set him against the Act, and eight or nine children drew him towards compliance. He complied. The Jacobites had no hand in the Porteous Riot;

but when the Earl Marischal heard of it he wrote, "I will not call them Mobb who made so orderly an execution."

The chief cause of the Porteous affair was the common detestation of the English method of the custom-house. The officials and their office were hated from the first, and smugglers were applauded and protected. Wilson argued, against a minister who visited him, that his conduct had been blameless, and many consciences were in harmony with his. The murder of Porteous was, in all probability, no more than an act of revenge: a parallel case, in which the Scottish authorities gave in to the populace, was the hanging of Captain Green for piracy. The national sentiment was also stirred by intervention from England and the re-prieve to Porteous. Men of intelligence certainly directed the mob, but only anecdotes of their courtesy to ladies, given by Scott, suggest that any of the leaders belonged to the class of gentry. The affair rankled, partly because of the attack on the consciences of the clergy, partly because, as a later writer says in his allegory about John and Sister Margaret, "Peggy, poor girl, was always on the catch," irritable, and ready to take offence. Yet Englishmen of various parties, for various reasons, abetted the Scottish members in passing the amendments which took most of the sting out of the Bill for the punishment and degradation of the city of Edinburgh. Any Jacobite who found comfort in the opposition to the Bill by Scots of all parties was greatly deluded. England and the Union were universally unpopular, but Scotland never would prefer to them a Catholic king.

None the less there existed a party—divided, disorganised, but eager—which was ready to take the risk. To understand the last Jacobite rising it is necessary to study the movements of this party in some detail. From the year 1737 they brooded more assiduously than before over the cockatrice's egg of civil war. The egg was chipped, eight years later, by John Murray of Broughton. The descendant of an ancient Tweedside family, connected with that of Philiphaugh, and loyal to Montrose during the civil war, Murray was born in 1715. His father was "out" in that year, and was ready to go out again, but, from a scruple of honour, as he had been pardoned for his share in the earlier rising, declined to aid Lockhart in secret intrigues. At the age of twenty the son, John Murray, matriculated at Leyden; in 1737 he visited Rome, and was admitted to the Lodge of Free Masons there,—

a nest of Jacobites. He prolonged his stay till 1738, and, later, confessed that he "was frequently with the Pretender's son, but never was introduced to the old Pretender."²⁹ Murray appears to have greatly admired, and been sincerely attached to, the Prince. The President des Brosses, who was in Rome two years later, describes Charles and his brother as "amiable and graceful in their manners; both showing but a moderate understanding, and less cultivation than Princes should have at their age. . . . I hear from those who know them both thoroughly that the eldest has far higher worth and is much more beloved by his friends; that he has a kind heart and a high courage; that he feels warmly for his family's misfortunes; and that if some day he does not retrieve them, it will not be for want of intrepidity."³⁰

Of James, the President writes: "His dignity of manners is remarkable. I never saw any Prince hold a great assembly so gracefully and so nobly." Murray did not attend the great assemblies, but the Prince won his heart. On his return to Holland he was sought by Captain Hay, of James's household, who, after a visit of Glenbucket to Rome, was sent to Scotland by the king to report on the state of the party. Murray had orders to correspond with Edgar, James's private secretary; he became acquainted with Colonel Urquhart, who, old and ill, was weary of the duties so long performed by Lockhart of Carnwath. The Colonel proposed Murray to James as his own successor, and the then Duke of Hamilton (died 1743), who received Orders of Knighthood from both kings, approved of the choice.³¹

In 1738 it was plain to Duncan Forbes that the approaching war with Spain and the tottering power of Walpole would give the Jacobites their opportunity. In the autumn of 1738 he visited Andrew Fletcher, Lord Milton, and suggested that Government should raise four or five Highland regiments, under officers of sterling loyalty: these regiments would employ the Jacobite clans in a manner pleasing to themselves and useful to the country. "It will be absolutely impossible to raise a rebellion in the Highlands." Lord Islay is said to have won the assent of Walpole. If so, the plan was opposed by the rest of his Ministry.³²

Meanwhile the exertions of the Opposition made it necessary for Walpole to resign, or to declare the war of Jenkins's famous ear. He declared war against Spain on October 19, 1739. Cardinal Fleury, chief Minister in France, was estranged from Walpole, and

it became clear that England would soon have to encounter not only Spain but France. The Jacobites foresaw their long-desired chance, none the less as Argyll had gone into opposition, and been deprived of all his offices. It was probably when he received his dismissal—"a message which vexed him"—that he spoke to a singular companion, James Keith, brother of the Earl Marischal, who had been out in 1719, and, rising high in Russian service, was now on a secret visit to London. "Fall flat, fall edge, we must get rid of these people," said the Duke to Keith. The Earl Marischal, who reports the fact, did not know whether "these people" included the Hanoverian dynasty or not. "Keith resolved on this to speak freely to him [Argyll], but I much fear he has had no success." A later attempt on Argyll, of 1741, is reported by Scott's friend, Lady Louisa Stuart. Argyll, she says, sent the letter to King George, and "felt wounded to the very soul."³³

Walpole himself, as is well known, sent to James an oral message by Thomas Carte, the historian, expressing his desire, on certain conditions, to serve him. James of course did not rely on his sincerity, and said so to Carte, adding that he would "protect and secure the Church of England," and would not "touch a hair of the heads" of the reigning family in the event of his restoration. "I thank God I have no resentment against them, nor against any one living" (July 10, 1739).³⁴ Probably Walpole had told George II., and obtained his permission to take this step as a means of receiving information. He thus made himself safe in all events. He is said also to have wormed secrets out of the English Jacobite leader, Colonel Cecil, by pretending to be of that party. Carte seems to have had vague hopes from Walpole as late as 1741.

In this year began "the Association" of Scottish Jacobites. Murray of Broughton attributes its inception to personal motives. William Drummond, really Macgregor, of Balhaldy was needy and ambitious; so was Lord John Drummond, brother of the young Duke of Perth (1713-1746), a captain in French service. Lord John came to Scotland in hopes of getting the party to appoint him as agent for James in France; but Balhaldy, being a kinsman of Lochiel, induced him, Traquair (a brother-in-law of the Duke of Perth), Lovat, and others to select himself. The Macgregors, whose very name was proscribed, were doubtful as to who was their chief. John Macgregor or Murray of Glencarnoch is recognised as chief, in 1715, by the author of 'The History of Clan Gregor,' Miss

Macgregor of Macgregor (1901). But on July 27, 1714, some fourteen gentlemen of the clan solemnly elected "Alexander Macgregor of Balhaldies" (Balhaldy) to be the *hereditary chief*, not merely the *captain*, of the clan. The deed was witnessed by Lochiel.³⁵

This Alexander Macgregor was father of the Balhaldy (William Drummond or Macgregor) who brought the Association into being. In 1740 this Balhaldy was a man of forty-two. His influence in the preparations for the Rising of 1745 was considerable, but he is persistently attacked by Murray, and by others of the opposite Jacobite party. He has left a Memoir, in which he states that he arrived in Paris on December 1739, and reached Rome in February 1740. James sent him to Paris, and bade Lord Sempill introduce him to Cardinal Fleury. The Cardinal told him that Louis XV. would grant such aid as the Association asked for as soon as he was sure that the English Jacobites would rise with the Scots. Intrigues at Paris were conducted by the Duchess of Buckingham, Colonel Brett, and the Earl of Barrymore, but an envoy of Louis to London reported that the English were mere idle grumblers. Balhaldy was then sent over (1740-41), and he consulted Orrery, Barrymore, Sir William Watkin Williams, and Sir John Hynde Cotton. They were enthusiastic but indolent, nor could Balhaldy bring them to unite with the Association.³⁶

Murray now takes up the tale, saying that, in March 1741, he met Balhaldy in Edinburgh. He found him confident in French aid: 20,000 stand of arms, with troops and money, were ready. Lochiel, Cluny, and Lovat were in Edinburgh. Murray knew Lovat's character well, and was reluctant to meet him. He was introduced to him, however, by Macleod of Muiravonside, an accomplice in the abduction of Lady Grange, and "a gentleman of honour and prudence." Murray boasts that Lovat trusted him, while he did not trust Lovat. Balhaldy then went to France by way of England, and there (December 1742) found the party better organised and in better spirits. Balhaldy spent most of 1743 in drawing up statements of the strength of the English party,³⁷ while Murray sounded adherents and collected money and promises in Scotland. He had little success: Hamilton refused to be explicit, and Murray was troubled by the affairs of the Episcopal clergy, who were again at odds with James about the appointment of a *Primus*.

We now compare facts from another source. In 1901 the

Capitaine F. Colin, of the Historical Section of the French *Etat-Major*, published some documents in the French Foreign Office and Admiralty.³⁸ From them it appears that Cardinal Fleury negotiated with Sempill and Balhaldy secretly, and without putting pen to paper, till 1741, when he took Amelot into his confidence. Sempill had introduced to him "many English lords of high rank, who had crossed to France to give the strongest assurances" of their loyalty and the loyalty of the City to James.³⁹ These peers would never commit themselves to writing, but among the seven dukes enumerated by Sempill⁴⁰ occurs the name of the Duke of Bedford. According to Mr Edgar, James's secretary, speaking to Lord Elcho,⁴¹ no man had so often entered James's palace in Rome by the secret passage through the cellar as the Duke of Bedford. It thus seems that the English peers, to an unsuspected extent, dabbled in Jacobite intrigue when on the Continent. They alleged that the names of the seven who invited the Prince of Orange to England in 1688 had been found in the Prince's cabinet, and copied by an underling: they would place themselves in no such peril.

Fleury dying in February 1743, the whole intrigue was renewed with Amelot and Maurepas; Cardinal Tencin, we know, was left out of the secret,⁴² as he informed Prince Charles on March 15, 1744.⁴³ As Balhaldy tells us, in the late summer of 1743 Mr Butler, an equerry of Louis XV., crossed to England, under the pretence of buying horses. He was introduced to Colonel Cecil and to the English leaders. He was given to believe that in the Common Council and aldermen, 196 out of 236 were Jacobites. He was taken to the country houses of the nobles, and to Lichfield races, where all the gentry, 300 in number, prayed for a Restoration, and he received a list of seventy Jacobite peers.⁴⁴ The list is printed, and is extremely imposing.⁴⁵

Sempill's Memoir encouraged the most sanguine expectations, and is probably one of the papers by which Balhaldy later overcame the reluctance of James to send Prince Charles to France. There were only 16,000 regular troops in England; in Scotland were one regiment of dragoons, three of foot, the Black Watch, and the Independent Companies. Even these troops were ready to desert, from their hatred of the Hanoverians. But French and Swiss troops were of the first necessity; no Irish need apply in England: in Scotland they were less detested. An invasion up the Thames was finally judged best by the Jacobites: the plan

needed the aid of English pilots, who were promised, but never sent. Saxe should command, under Ormonde: the Prince could not leave Rome without giving the alarm to the Government. This advice was neglected by France, which also rejected the plan of invasion in fishing-boats!

Murray at this time had many anxieties about the Association for bringing back James. The members in the secret were few: a French invasion would find the other Jacobites unprepared; and they were certain to object to Lovat as chief director, and to Balhaldy as principal agent. "The king's situation made it improper for him to object to either, had he been never so much convinced of the self-interestedness of the first, or of the fallacy and incapacity of the latter." James must have understood Lovat, of whom he had old experience, but the real character of Balhaldy is a puzzle. He certainly had enterprise, but is accused of deceiving the party and the French by wildly optimistic statements. His own brief memorial does not corroborate this charge; but in any case the party, always rent by jealousies, was split up by distrust of Balhaldy. According to Murray, he assured France that Sir Alexander Macdonald of Sleat was engaged, while Sir Alexander declared that he had never spoken to Balhaldy on the subject. An opposite account, favourable to Balhaldy, was given, on the evidence of a correspondence, now lost, by a Miss Macleod of the Dunvegan family: Sir Alexander's conduct was remarkably fickle in any case.⁴⁶ The Earl of Traquair was also a broken reed: it was to him that Balhaldy, in December 1741, announced a French attempt for the spring of 1742, the year of Walpole's fall, and of much public indignation caused by the action of George II. when he took Hanoverian troops into British pay. All parties in the British Parliament were split, and Argyll, who demanded an appointment in the new Government for an almost open Jacobite, Sir John Hynde Cotton, caused more persons than Walpole to doubt his loyalty to the House of Hanover. Argyll was assured that Cotton should have a place, and was ready himself to resume office and his regiment; but the king discarded Cotton, and Argyll, jealous of Tweeddale as Scottish Secretary, resigned.

In such troubled waters the Jacobites expected good fishing, but Murray found that Balhaldy's report to Traquair was utterly vague: there were no certainties. Districts had, indeed, been appointed to each member of the Association, but only Lochiel organised his

country, Lochaber ; Lovat did little or nothing with the great confederacy of Clan Chattan and the Mackenzies ; Sir James Campbell was indolent in Argyll and Mull, where the Macleans, Maclachlans, and the remnant of Macdonalds in Kintyre, under Macdonald of Largie, were trusty men. The chief of the Macleans, Sir Hector of Dowart, was not even a member of the Association. The Duke of Perth, who should have managed the Gordons, Farquharsons, and Ogilvies, was absent in England ; and as for the Border, Traquair "never so much as endeavoured to engage one man." The gentry of the Border might subscribe, Murray thought, but their efforts in the field would be "very trifling."

Thus for a rising in early spring 1742 there was neither organisation, clothes, weapons, nor money. Murray's idea was to do nothing on Balhaldy's information, but to send an agent to France and endeavour to obtain definite intelligence. Murray himself was chosen, with the approval of Lovat, who sent "his note of hand for £100," not negotiable without better than Lovat's security. Murray himself backed Lovat's worthless bill, and borrowed money from the New Bank. Though he writes in his own defence, he certainly dipped his estate (sold in 1764) in his ardour for the Cause. Lovat openly avowed that his one motive was desire of a dukedom : throughout life he aimed at nothing but the aggrandisement of himself and his clan, his ruling passion, pursued with equal cunning and folly.

In January 1743 Murray set out for Paris, much damped by the news, received in London, of the death of the French Minister, Cardinal Fleury, the hope of the Jacobites (January 29, 1743). When Murray arrived in Paris, Balhaldy assured him that Amelot (Foreign Minister 1737-1744) was equally friendly. The pair visited James's agent, Lord Sempill, who was never of the Forward party, and, with Balhaldy, tried to prevent Murray from achieving the object of his journey,—a personal meeting with Amelot. He found at last that Amelot "rather savoured of the dissuasive." He also discovered that Sempill and Balhaldy were at odds with the Earl Marischal, whose genial and honourable character made him much trusted in Scotland. The Earl himself, in a letter to Lord John Drummond of this date, suspects Sempill of "accusing or threatening him" as lukewarm. The correspondence amply proves that Lord John and the Earl were at feud with Sempill and Balhaldy. Lord John says that the Scots bade him tell James

that Balhaldy "has always been in low life, and obliged to fly the country in danger of being taken up for a fifty-pound note. . . ." James himself vainly tried to reconcile these differences.⁴⁷

Who could dream that there was danger in a party with such leaders, so contemptuous each of the other? "The epithet they dignified the Earl Marischal with was 'honourable fool.'" ⁴⁸ (Murray's narrative here is fully corroborated by the letters in the Stuart MSS.) Accompanied by Balhaldy, Murray went to London, where he found the aged Colonel Cecil, the Jacobite agent, bitter against Sempill, and full of complaints. Balhaldy says that, by his desire, a Mr Butler, who was trusted by France, went with him, and that they returned in October 1743, "well pleased with our success," with full details about the readiness and organisation of the English Jacobites,—information on which Louis XV. decided to invade England early in 1744.⁴⁹ But Murray writes, "If Balhaldy had represented things fairly there was not the least ground for encouragement." Balhaldy had been most anxious to meet Erskine of Grange, from whom he went to Lord Orrery, and returned "with apparent satisfaction." Grange was closely allied with Lovat, and if Balhaldy accepted, through Grange, whatever Lovat chose to say, he was a politician of much simplicity. It is plain, from letters written after 1745, that Balhaldy really was, and long continued to be, closely allied with the leading English Jacobites, though Murray doubted the fact. He himself went home discouraged, and discouraging the Duke of Perth, whom he met at York. He wrote a letter, now lost, to James, with Cecil's complaints of Sempill and Balhaldy; and he wrote to the Earl Marischal, informing him of what he well knew—the intrigues of Balhaldy and Sempill. This letter Traquair promised to take to London, and forward thence.

Meanwhile Murray tried to intrigue, through Gordon of Earls-toun, with—the Cameronians! He says that James had promised them "an unrestrained liberty of conscience, with a yearly salary to each of their preachers." His authority is vague, and the story needs corroboration. Traquair now returned from London, where he had met Balhaldy and the Duke of Beaufort, the Earls of Orrery and Barrymore, and Sir John Hynde Cotton, the flower of the English Jacobites. Their intentions "were honourable but vague," but Barrymore offered £10,000. Perhaps Balhaldy knew more than Traquair told Murray: these intriguers always

kept each other in the dark. At least it is clear that Balhaldy's sanguine account of the state of the English party was the chief cause of the coming of Prince Charles from Rome to France, and of the attempted invasion in 1744. Balhaldy thus launched Prince Charles, and, so far, was the main author of his celebrated expedition, the last serious effort of a part of Scotland against the Union.

Murray was dissatisfied with Traquair's report, and much more with Traquair's confession that he had shown to Balhaldy Murray's letter to the Earl Marischal, and that they had burned it,—“a liberty I would not have taken with my footman's letter.”⁵⁰

What was the true condition, what were the plans, of the English Jacobites? If ever the Stuart MSS. contained any proofs that they were in earnest, if Beaufort promised, as Lovat said, to raise 12,000 men, all traces of such dealings have been removed, during the strange wanderings through many hands of these documents.⁵¹ The money offered by Barrymore was never contributed to the Cause, and the simplest explanation is to suppose that Balhaldy allowed himself to be confident on slender grounds; while there was no arrangement made between the English and Scottish partisans. Traquair, the go-between, was as cautious as credulous. We see Murray, whose heart was engaged, and who had a head for business, wandering among futile persons in an enchanted mist.

It is apparent that James was aware of Murray's anxieties. The Laird of Broughton appears not to have known that, as early as June 1743, Cardinal Tencin was proposing, or was represented by Balhaldy as proposing, a visit of Prince Charles to France. On October 1, James, writing to Balhaldy, says, “It is a very sensible mortification to me that the worthy Sages [Murray and his party] should be kept so long in expectation and suspense, but I would fain hope that the time is near when they will have occasion to try and show their skill. . . .”⁵² He then speaks of the Prince's desire to be with them. Charles kept himself in constant training by long shooting expeditions,—“nobody here can keep up with him.”

The French documents show how well Balhaldy had succeeded in enlisting France. The reports on the English Jacobites, brought by Butler in October, were accepted by Louis, and formal preparations of ships and men began on November 15, 1743. Captain Colin at once blames the comfortable English for refusing to rise early in January 1744, and points out that French preparations could not be finished till the middle of February 1744.⁵³ The

motives of Louis were to cause the recall of the British troops from Germany, and to avenge many insults to his flag, and the aid given to Maria Theresa by England. He justified his attack without declaration of war by the recent proceedings of England against Spain in 1739 (February 1, 1744).⁵⁴ On December 10, 1743, Louis communicated his designs to the King of Spain: at this moment he expected his fleet to sail on January 1, 1744.⁵⁵ Twenty-seven merchant vessels were being prepared as transports, with a convoy of Barail's squadron of seven ships of war. Roqueville was to command the Brest squadron, and watch and engage the English fleet.

Balhaldy, in Paris, obtained leave to go to Rome to arrange the Prince's journey, and, according to his own Memoir, he arrived in the eternal city about December 19, 1743.⁵⁶ He gained the assent of James, left Rome on December 25, and was back in Paris by January 3. Murray mentions that Balhaldy overcame James's reluctance by aid of "two long memorials,"—those brought by Butler (clearly *not* by an actual written promise from Louis),—and announced to Traquair a French descent for January 15. His letter did not arrive till February 1744, and contained the first intimation of his journey to Rome. By this time the French movement of forces to the coast, where the Earl Marischal awaited them at Boulogne, was universally known, and Murray and the Duke of Perth, aware of the Jacobite lack of preparation, were much perplexed.

According to Balhaldy, Louis XV. was pleased with his conduct, "but I was soon after mortified enough by our English friends refusing the expedition at that season of the year." He visited the English partisans on January 11, and they accepted the invasion for the middle of February.⁵⁷ According to Murray, Balhaldy announced the intention to send 12,000 men, under Marshal Saxe, from Dunkirk to England, and 3000 men, with arms and money, for Scotland. Balhaldy wanted Erskine of Grange to come at once to London, very naturally, as he generally visited town in spring, and his journey would not rouse suspicion, while he could communicate the English arrangements to the Scots.

Odd arrangements they were. The English leaders meant to lie quiet in the country, or escape on board the French fleet, till the French landed: so says Balhaldy. There were two letters of Balhaldy's to the Scots: one was long retarded, and arrived with the

second, so that Murray, distrustful and perplexed, advised delay till Balhaldy was asked to explain. Lochiel and Lovat should be warned, and Perth should win over Lord George Murray, who had long been resident, a pardoned man, in Scotland.

Meanwhile Prince Charles had made his secret and fateful escape from Rome to France, hoping to sail with the French invading force. On Christmas Day 1743 James wrote to Ormonde, "The King of France has determined to act in his favour, though requiring all for the present to be kept secret." Ormonde, then at Avignon, a veteran busied with love affairs ("*amours*," writes the Prince), was to be Regent till the Prince joined the expedition.

To what precise extent Louis was committed to accept Charles, it is hard to discover: perhaps he was not committed at all. On December 23, 1743, James wrote to Amelot and to Louis expressing his lively gratitude for their promises as conveyed by Balhaldy. But James says he is relying on the "probity" of Balhaldy, and confesses that he would have liked something more precise than communications which appear to have been orally made. James thinks, and thinks correctly, that Cardinal Tencin is not in the secret, which he himself has not laid open to his chief Paris agent, O'Brien. He tells Louis that he is averse to sending the Prince to France on such guarantees as he has received, and that he is acting beyond the ordinary rules of prudence in such cases.⁵⁸

It is clear that Louis acted with more than caution; that he left himself a loophole,—perhaps that he could deny having invited the Prince, for James had obviously no written promise, and Cardinal Tencin could disclaim all knowledge of Balhaldy's mission, or, at least, of the circumstances which led up to it. This double and secret policy was very characteristic of the French king: compare 'Le Secret du Roi,' by the Duc de Broglie. James, however, issued a general manifesto, and a warrant of Regency for the Prince, on December 23, 1743.⁵⁹ On January 2, 1744, James, writing to Sempill, praises Balhaldy's arrangements: he had taken a gentleman to Italy, apparently Sir John Graham, to accompany the Prince. On January 10 Charles left Rome just after midnight of January 9: the king was never to see the Prince again. The Duke of York himself was not in the secret, and supposed that a mere hunting expedition was intended at the Duc de Sermoneta's place, Cisterna.⁶⁰ The hunting equipage had been despatched publicly on January 7. On the 9th Charles obtained access to the keys of the gate of

St John, and passed out, with Murray, soon after midnight—that is, in the first hour of January 10. The Duke of York was told that he would find his brother at Albano, and drove thither at 6 A.M. on January 10. Charles soon left his carriage, and rode, telling Murray to go to Albano. In place of proceeding thither, Charles and his groom, or a Mr Buchanan dressed as a groom, rode to Frascati, and so drove to Lerici and Genoa undetected. He got post-horses and passports from Cardinal Acquaviva.

The escape of the Prince may have been facilitated by the description of his person, circulated by Sir Horace Mann, the representative of England at Florence. Mann describes Charles's eyes as "blue," Lord Mahon says "light blue." In all of the many authentic portraits the Prince's large eyes, somewhat *à fleur de tête*, are brown. His hair was a bright brown, more fair at the tips, which sometimes were allowed to fall beneath the little white perruque of the period. His height was about six feet: he had, as we have quoted Lord Elcho, "a body made for war,"⁶¹ and was capable of enduring great fatigue. His complexion, "the bloom of a lass" in boyhood, was bronzed with exposure, his face was a long oval, his nose verged on the aquiline; his expression, in moments of repose, was melancholy. His father speaks of a slight fondness for wine, which was not apt to be corrected in Jacobite society: to women he was, at this period, indifferent. While the Prince hurried North, his brother Henry stayed at Fogliano, where Charles also was supposed to be shooting, and sent gifts of game to friends in Rome. Charles, we learn from a letter of Henry's (February 6), "was locked up at Savona," perhaps in quarantine, and "was in a very ugly situation." Of this adventure we know no more; Charles reached Antibes by sea (January 22 or 23), and, after a delay to be explained, was in Paris on February 10, and writes thence to James, "I have met with all that could be expected from the King of France, who expresses great tenderness, and will be careful of all my concerns."⁶² If this means that the king and the Prince met, James did not so understand it: on August 11, 1745, he writes to O'Brien that Charles has never seen Louis.⁶³

Apparently this letter of Charles was written after behaviour less hospitable on the part of Louis. On February 13 James expressed, to Sempill, his "astonishment and concern" at "the negligent and indifferent behaviour to the Prince." Charles was not expected at

Antibes, as appears from Villeneuve's letter on his arrival at that port (January 23, 1744). Charles, travelling as "Malloch" (the assumed name of Balhaldy) with Graham, was detained at Antibes in quarantine for eight days,—strange treatment of a Royal guest.⁶⁴ The detention was by order of Mirepoix. Charles and Graham then rode to Paris, and it appears from the Prince's letter to James that, after all this hesitation, he was kindly treated by Louis. On February 15 Sempill acknowledges the receipt of 10,000 livres for the Prince's use.⁶⁵

From all these details the paltry hesitations of Louis, and perhaps the too sanguine character of Balhaldy, may be understood. James relied on the honour of Louis and on the probity of Balhaldy, as he wrote; but Louis had said too little, and perhaps Balhaldy had promised too much. Thus the unfortunate Charles was embarked without a compass, on a perilous sea, in a fog of jealousies and evasions, of duplicities and mistrusts.

The mistrusts, the lack of organisation, and the difficulty of sending messages, left the Scottish Jacobites in ignorance during the days of intended movement in February-March 1744. The Duke of Perth came to his own country and caballed with Lord George Murray, who, according to Murray of Broughton, "at first proposed to raise the people of Atholl, as if to serve the Government, and, when got into a body, to join us." This was not an honest scheme, as Lord George, so we have learned from Wodrow, gave himself out for a repentant subject, and had been permitted to return to Scotland many years ago. Distrust of Lord George on the part of Charles sadly marred the rising in 1745, and Lord George's conduct at this moment was not of a kind to beget confidence. While Perth was active, Lovat feigned sickness, and could hardly be induced to see Perth's brother, Lord John, who, in ignorance of the French attempt, had come over to raise recruits for his French regiment. Murray's only information was derived from a cipher letter of Balhaldy, addressed to Lady Traquair, and announcing that the French were ready to embark. That letter was sent through the common post, and given to Murray by a friendly clerk. Balhaldy said nothing useful, nothing explicit, but inquired anxiously after Erskine of Grange. Genuine news reached Murray through Nisbet of Dirleton, and vague warnings of arrest were conveyed to the Duke of Perth through his tailor. Perth fled to the hills, but Murray induced him to return;

and they, with Lord Nairn (a Preston prisoner in 1715) and Lord Strathallan, did such work of preparation in Perthshire as was possible. There they remained till all hope of invasion was ended.

Lord Elcho, son of the fourth Earl of Wemyss and of a daughter of the wealthy debauchee, Colonel Charteris of Amisfield, brought melancholy news from France. "The apparatus for invasion was show only,"—an error, as serious preparations were made under Marshal Saxe. The Earl Marischal had neither money nor definite orders for the expedition of 3000 men to Scotland, and Prince Charles, in place of being publicly at Dunkirk, was lurking secretly at Gravelines, "where no person had access to him but Balhaldy, or such as he chose."⁶⁶

While the Scots were thus left in the dark, in January there lay at Brest seven French ships of the second class, eleven of the third, four of the fourth, five frigates, and many smaller vessels. But the whole French navy was not commissioned, and to Norris and the English fleet the force would have been "only a breakfast." Barry, the Jacobite agent in England, was more surprised than pleased. A sudden descent of troops in fishing-boats was what his friends desired.⁶⁷ The Jacobites would not rise in January, and France adjourned the adventure. Captain Colin thinks that, had the Jacobites been willing to rise in January, there must have been serious civil war in England, if not a Restoration. In fact, the English would never have risen: they were merely copious in words. As late as February 1, 1744, Louis was quite undecided: the attempt was to be indefinitely postponed.⁶⁸

It was now that Balhaldy, after a rapid visit to England, returned and announced that the attack should be by way of the Thames, with a landing at Blackwall. All the Jacobite leaders would join the squadron at the Hope, below Gravesend—peers and aldermen. The *Royal Sovereign* (O'Bryen) and the *Princess Royal* (Lee) would come over to the French squadron.⁶⁹ Pilots would be sent, and their non-arrival caused delay and made success impossible. One Honeyman was sent to Dunkirk to arrange, and was to go to Balhaldy, but Balhaldy could not be found: he was at Gravelines in secret with Charles. Honeyman sneaked back to England. Roqueville, with the Brest squadron, was to cruise about the Isle of Wight. On February 2 Saxe received his orders. Louis averred to Roqueville that England had only nine or ten ships at Spithead: the rest were widely scattered in various ports. Roqueville was

to try to lure out the Spithead fleet, and to engage, destroy, or capture it wherever he met it, so as to leave an open path for the transports escorted by Barail, who (February 10) was to hasten to Dunkirk, the port of embarkation. By February 26 Saxe was still awaiting Barail and his convoy. The English pilots were equally to seek; and it appears that Saxe did not know where Prince Charles was.⁷⁰

The great object was for Roqueville to engage the English fleet, while Barail convoyed the transports to the embraces of peers and common councilmen at Gravesend. The invading force was of about 10,000 men,⁷¹ and was sickening on board the transports. Roqueville left Brest on February 6, and every day brought its disaster—ships collided, masts went by the board, ship after ship returned to Brest to refit, or to Havre,—*toujours un vent et mer affreux*. Finally the approach of Norris with fifty-two vessels was signalled; Roqueville gave orders to return to port; a tempest on March 6 and 7 smote his ships and scattered them with great loss. The same gale wrecked several of Saxe's transports at their moorings; neither he nor Charles was aboard, as Lord Mahon declares that they were; and, in face of so much loss and the continued absence of Roqueville for more than a week, the French Government, about March 11-13, bade Saxe announce to Prince Charles the abandonment of the enterprise. They had learned from England and Holland that the Jacobites were a futile minority, their reports of disaffection moonshine, and their hearts as weak as their heads. Henceforth France lent but dilatory and reluctant aid even to the Scottish Jacobites, who were men worth helping.

England knew of the French attempt. Mr Thomson, in Paris (February 25), had remonstrated with Amelot on the presence of Charles in France as a breach of treaty. Amelot replied that England had already broken treaty; but France still did not play Charles openly as a piece in their game. He and Balhaldy loitered, unknown, at Gravelines, while the Earl Marischal was at Dunkirk, and Marshal Saxe (February 26) was at Calais, whence he wrote to Amelot. He said that he would already have landed in England, but Barail's squadron was cruising vaguely in the Channel, and had not joined that of "Rocquefeuille," and thus Saxe's transports, full of soldiers, had no armed convoy. "If we fail, it is by our own fault;" the winds are already contrary; Barail will not easily keep tryst in the unfavourable weather. The promised English

pilots have not arrived,—a point on which Murray tells a long confused story of English indolence and careless stupidity. Meanwhile Marischal, who had left Paris on February 25 for Dunkirk, was, as the Earl complains to d'Argenson, destitute of orders,—“has not any sort of instructions,” nor money enough to pay the clan regiments which Charles commands him to summon. The chiefs had engaged, it was said, to furnish about 20,000 men,—a force which they never brought into the field (Dunkirk, March 7, 1744).⁷²

After the disasters to the French fleet Prince Charles lingered at Gravelines, and the Earl Marischal warns him that “to go single, unless you are invited by the principal peers, both for credit and good sense, would be for ever the destruction of the Cause” (March 5). The Prince had thus already conceived his gallant if desperate scheme to hazard his own person, “and win or lose it all.” To James (March 6) he spoke lightly of “the little difficulties and small dangers I may have run.” He wrote to Sempill that, if he could be of service, he would venture to England “in an open boat.”⁷³ But France saw no use in Charles. She had hazarded a large force in hopes of surprising England before making a declaration of war. She had merely lost men, ships, and supplies; and even if the winds had been favourable, and if Saxe had crossed, how could he have landed without pilots? By April 6 Charles was lurking disguised in Paris, where later he was to hide in a convent, after his expulsion from the country in 1749.

James (April 3) bade him avoid precipitate and dangerous measures, “some rash or ill-conceived project, which would end in your ruin, and that of all those who would join with you in it.”⁷⁴ James was fifty-seven, Charles twenty-three; the elder man prophesied as truly as vainly. He sent Sir Thomas Sheridan to keep the Prince company, but Sheridan, though old, was a reckless Irishman. The Prince wished to take part in the campaign of 1744, but the Earl Marischal advised France against this measure, to the disgust of the Prince. By Balhaldy's advice he admitted George Kelly to his friendship, a tall genial Irish Non-Juror, the secretary of Atterbury, in 1720. George, we have seen, for fourteen years had been a prisoner in the Tower; he made an ingenious escape, was with Ormonde as chaplain, and now put his audacity at enterprise at the service of Charles. The affair of 1745 was mainly due to such Irishmen as Kelly, Sheridan, Sullivan, and Lally Tollendal, who were entirely of the Prince's humour.

Meanwhile Charles was neglected, his pension was not paid. While Barrymore was assuring Charles of the zeal of the English (so the Prince writes to Louis, July 24, 1744),⁷⁵ the Scottish Jacobites were, as usual, kept in the dark. Murray went to look into matters. He met Balhaldy in Flanders, and again found him suspicious, and, he says, deceitful. Murray (July 1744) had an interview with Charles at Paris. He learned that Balhaldy and Sempill were the persons who (as we have heard from the Earl Marischal) had stated the clan forces at 20,000, or rather at 19,400 men. Murray knew the absurdity of this estimate: he told Charles the plain truth, and in this case the corroboration of the Earl justifies Murray's complaints of Balhaldy's sanguine reports.⁷⁶ Balhaldy and Sempill were unabashed till Charles granted Murray a private interview without their presence. They met at the royal stables. Charles listened without a single interruption to Murray's long account of the mismanagement of Sempill and Balhaldy. He then said that he trusted them, though all are liable to make errors. Murray spoke of documentary proof in letters, which Charles waived, and then Murray argued that France was unable to give him the aid which he was asking from Louis on July 24. In Charles's letter to James he speaks of a Scot of good family, a relation of Balhaldy, who has been sent to him with assurances. Neither the date nor the kinship with Balhaldy corresponds to Murray and his visit, which Murray dates in August.

If Charles does refer to Murray, that envoy made no impression on him, and he told Murray that next summer he would come, "though with a single footman."⁷⁷ Murray replied that, in such an effort, he could only depend on "4000 Highlanders, *if so many*." Charles was unmoved, and though Murray repeated his objections to Sheridan next day, he never seems to have firmly discountenanced the desperate adventure. Charles, however, became convinced that Balhaldy had deceived him in the matter of a purchase of arms, which he said that he had made in Flanders at the time when Murray met him there. Murray, too, found that Balhaldy had invented or exaggerated some early remark of his against the Earl Marischal; and he accuses Balhaldy of plundering, with other Macgregors, the baggage of the Earl, and of Mar's army, at Sheriffmuir! This charge against Rob Roy's men is familiar from the old ballad on the battle. Murray also suspected Sempill and Balhaldy of purloining an English remittance of money for the

Prince,—in fact, nothing could be lower than his estimate of two men who were entirely trusted by James.⁷⁸ That unhappy Prince was teased and confused for a whole year by the reports and counter-reports, charges and counter-charges, of Sempill and Balhaldy on one side, of Sheridan on the other. "I am plagued out of my life," writes Charles (November 16, 1744). He at last told James that he merely pretended to trust the Balhaldy faction, lest they might do mischief if they thought themselves slighted. James replied, with his usual keen sense of honour, that such dissimulation "became neither a Prince nor a Christian."⁷⁹

What could be hoped from a party whose leaders were thus at odds? From a French Foreign Office Memoir of December 1744 it is certain that the French Government supposed Murray, in July, to have stayed in Holland, and to have sent for Balhaldy to meet him there. "M. Macgregoire [Balhaldy] learned from Mr Murray that the gentlemen of Scotland had armed their peasants, and consequently that 12,000 muskets, with swords and pistols, would suffice" as the French contribution. The French Foreign Office probably repeated what Balhaldy chose to tell them: at all events, they knew nothing of the real facts.⁸⁰ Returned to Scotland, Murray denounced Balhaldy, who sent young Glengarry to denounce Murray. The Laird of Broughton convened Lochiel, Macleod, Stewart of Appin, and the chief of the Macdougals. He reports that Macleod actually wrote a promise, and that "in the morning," to raise his clan and join Charles, even if he came without a force.⁸¹ But Murray should have accepted no such promise: he should have crushed the Prince's wild design. As to whether Macleod really put his hand to the document, the reader must form his own opinion: Murray confessedly speaks from memory alone. He says that Appin (who did not come out in 1745) also signed. Murray secured other adherents, and Traquair promised to visit Charles in France, but did not go. Macdonald of Sleat gave a conditional promise, to join "as soon as a proper plan was laid down": there was never any such plan. The Duke of Hamilton, Perth, and Mr Charteris, brother of Lord Elcho, gave bills for £1500 each.⁸² The conspirators now drew up, late in the year, a letter to Charles. Elcho had refused to go over to France in search of definite information and to impart the same to Charles,—a refusal which Murray regretted, for he neither thought Elcho "fickle," as some of the party did, nor

cruel, as the Hanoverians declared. Hamilton verbally promised to join in a rising, according to Murray, while Traquair never told the managers whether or not he had despatched an important packet of letters to Charles.

It was in these circumstances that Murray drew up a Memorial to the Prince, which the leaders signed. He expressed a hope that Charles had received the letters through Traquair, and said that he must bring a force of at least 6000 men: in case the English were backward, they should land anywhere between Peterhead and Dundee. Perth, Elcho, Lochiel, Murray, and Nisbet signed. This letter discouraged a solitary personal adventure by Charles; but no man of position would carry it. Murray was obliged to send John Macnaughten, who seems to have been his footman or valet: he is heard of later, but was not the Macnaughten executed for killing Colonel Gardiner. Traquair at this juncture returned the letters, which had never been sent to the Prince by him. Apparently they were dissuasive of the adventure, while Murray owns that Macnaughten's despatch was only couched "in general terms," not explicitly prohibitory. Murray wrote again, by young Glengarry; again it is plain that he was not explicit, nor was Glengarry able to convey the letter to the Prince. About the end of May 1745 Macnaughten returned, with letters in which the Prince announced his arrival, with no force, but with some money and arms, for July.

The Prince had for long, as the Walsh papers prove, been scheming his expedition with Irishmen, Sheridan, Kelly, and Walsh, a rich shipowner.⁸³ On June 12, from his cousin's, the Duc de Bouillon's place, Navarre, near Evreux, Charles congratulated Louis on the British defeat at Fontenoy. "Enfin je veux tenter ma destinée," he writes.⁸⁴ Charles, as Lady Clifford wrote to James, was "in the hands of people unknown, low-born, of no credit or weight," and the Earl Marischal had been "banished" to Avignon. On the same day as he wrote to Louis XV. about "trying his destiny" (June 12), Charles wrote to James. He says that he will "conquer or die," and asks that his Sobieski jewels, famous rubies, may be pawned to raise funds. He has borrowed 180,000 livres from his bankers, Messrs Waters. To Edgar he writes that he has arms, Routledge's ship the *Elizabeth* (68 guns), and Walsh's frigate *La Doutelle* (or *Du Tellier*, 44 guns). He will land on

or near Mull. The French Court knows nothing, though the letter to Louis XV. told a good deal.⁸⁵

Murray was dismayed: he had never actually refused his consent to the adventure, and his latest messenger, young Glengarry, had failed to find the Prince. Sir Hector Maclean, who had arrived from France, was arrested in Scotland,—a discouragement to Clan Gilzean. Even now the Duke of Hamilton accepted James's commission, of which he made no use. The month seems to have been June: after making many arrangements Murray visited Lochiel at Achnacarry. He found Lochiel disappointed, but true to his honour: "he did not see how any man of honour could get off, . . . especially as the Prince was to throw himself naked into their arms."⁸⁶ The Rising, as far as the clans were concerned, was for honour's sake. Lovat, on the contrary, said that Charles should not be allowed to land. Macleod thought that he should be dissuaded by letter, but Lochiel could not believe that Lovat was in earnest: now was his chance to save his honour. Murray travelled through the western clans; Macleod would not meet him, nor could Murray go to Skye, but Macleod still professed his readiness. At this moment Cluny had accepted a commission in Loudoun's Highland regiment: Murray met him in Badenoch, and probably shook his scruples; but here Murray's account of his negotiations breaks off at an interesting point. We do not know how he fared with old Glengarry, who had not been formally apprised of the intrigues.

If Balhaldy had been over-sanguine and less than veracious, if Traquair had been culpably languid, yet Murray's own apology makes it plain that he was the chief cause of the desperate and ruinous adventure. He had encouraged and accepted promises from the chiefs to join Charles even if he came alone. He had never explicitly refused to be associated in an enterprise of which he had timely warning. In the end, the author and manager was the betrayer of the wild endeavour. Of trusty men, hardy and resolute soldiers, Charles had probably not more than 2000 at the first—Lochiel's Camerons, the Macdonells of Glengarry, Keppoch, Clanranald, and the Appin Stewarts. Sleat's Macdonalds were held back by their chief; the delays of Lovat paralysed the Frasers; the chief of the Mackintoshes was of the party of Government; the Macleans had lost their chief; Cluny,

with the Macphersons, was trammelled by his commission; Seaforth would not bring out the Mackenzies; the Munroes and Mackays were steady Whigs; and Macleod deserted the Cause. The gentry of the South were powerless: they had no "followings." Yet the Prince shook the throne.

NOTES TO CHAPTER XVII.

¹ Memoir of Bishop Atterbury, ii. 208.

² Rome, November 5, 1725: Memoir of Bishop Atterbury, ii. 211.

³ Memoir of Bishop Atterbury, ii. 218-220.

⁴ Mahon, ii., Appendix, p. xxx.

⁵ Mahon, ii., Appendix, pp. xxxi-xxxiii.

⁶ Mahon, ii., Appendix, p. xxxv.

⁷ Memoir of Bishop Atterbury, ii. 458-465.

⁸ There is a confusing statement about the Sempills in 'Memoir of Atterbury,' ii. 359, note. The "Hugh, Lord Sempill," who succeeded in 1716 is a Hanoverian, and is not the Jacobite Lord Sempill whose son is accused of being a spy. The Jacobite, Robert Sempill, was a captain in Dillon's regiment, and after 1723 was created a peer of Scotland by James. Riddell could not discover the parentage and pedigree of this Lord Sempill, nor could Mr Fitzroy Bell (Murray of Broughton's 'Memorials,' p. 42, note 2, Scottish History Society). The Hanoverian Lord Sempill, who is confused with the Jacobite Lord Sempill, was, in the male line, an Abercromby. It does not appear to me that a very futile spy of Walpole's is, as Mr Folkestone Williams supposes, the Jacobite Master of Sempill.

⁹ These Letters are cited from the 'Stuart Papers' at Windsor Castle.

¹⁰ This family of Stafford, I think, was connected with the Stafford-Northcotes. The Earl of Iddesleigh has a fine portrait of King James.

¹¹ Documentos Ineditos, xciii. 18.

¹² Historical Manuscripts Commission, x., Appendix I., p. 184.

¹³ Burton's Lovat and Duncan Forbes, pp. 201-205.

¹⁴ State Trials, xviii. 588, 589.

¹⁵ Autobiography of Dr Carlyle, pp. 33-35; State Trials, xvii. 925.

¹⁶ Autobiography of Dr Carlyle, pp. 36, 37.

¹⁷ State Trials, xvii. 929, 930.

¹⁸ State Trials, xvii. 945.

¹⁹ State Trials, xvii. 949.

²⁰ State Trials, xvii. 982.

²¹ Autobiography of Dr Carlyle, p. 39.

²² Parliamentary History, x. 191-194, notes; Letters from Coxe's 'Memoirs of Sir Robert Walpole.'

²³ Parliamentary History, x. 195.

²⁴ Note to 'The Heart of Mid-Lothian,' i. chap. vii.

²⁵ Parliamentary History, x. 238.

- ²⁶ Parliamentary History, x. 246.
- ²⁷ Parliamentary History, x. 252.
- ²⁸ Autobiography of Dr Carlyle, pp. 40, 41.
- ²⁹ Examination of John Murray, February 14, 1746-47, in 'Memorials of John Murray,' Fitzroy Bell, Scottish History Society, p. 480.
- ³⁰ Mahon, iii. 26.
- ³¹ Memorials of John Murray, Fitzroy Bell, Scottish History Society, pp. 16.
- ³² Burton's Lovat and Duncan Forbes, pp. 368, 369.
- ³³ Journal and Letters of Lady Mary Coke, i. pp. xi-xii; Stuart Papers, MS., June 15, 1740.
- ³⁴ Mahon, iii., Appendix, pp. 1, li.
- ³⁵ Hist. Clan Gregor, ii. 270-273.
- ³⁶ Hist. Clan Gregor, ii. 358-360.
- ³⁷ Hist. Clan Gregor, ii. 360.
- ³⁸ Louis XV et les Jacobites. Par F. Colin. Chapelot. Paris, 1901.
- ³⁹ Louis XV et les Jacobites, p. 10.
- ⁴⁰ Louis XV et les Jacobites, p. 31.
- ⁴¹ Cited by Ewald, in his 'Prince Charles Edward.'
- ⁴² Louis XV et les Jacobites, par F. Colin, p. viii.
- ⁴³ Louis XV et les Jacobites, p. 182.
- ⁴⁴ Louis XV et les Jacobites, pp. 15-17.
- ⁴⁵ Louis XV et les Jacobites, p. 31.
- ⁴⁶ Memorials of John Murray, pp. 30, 31, note 1; Mackenzie's History of the Macdonalds, p. 234.
- ⁴⁷ Stuart Papers, in Browne's 'Highland Clans,' ii. 446-448.
- ⁴⁸ Memorials of John Murray, p. 46.
- ⁴⁹ History of Clan Gregor, ii. 360, 361.
- ⁵⁰ Memorials of John Murray, pp. 54-56.
- ⁵¹ Memorials of John Murray, p. 57, note.
- ⁵² Stuart MSS.
- ⁵³ Louis XV et les Jacobites, p. vii.
- ⁵⁴ Louis XV et les Jacobites, pp. 62, 63.
- ⁵⁵ Louis XV et les Jacobites, p. 35.
- ⁵⁶ History of Clan Gregor, ii. 361.
- ⁵⁷ History of Clan Gregor, ii. 361.
- ⁵⁸ James to Louis XV., December 22, 1743; Memorials of John Murray, Appendix, pp. 492-495.
- ⁵⁹ Pichot, Charles Edouard, i. 403-407.
- ⁶⁰ There are several accounts: "An Authentick Account of the Intended Invasion by the Chevalier's Son," 1744; the version of Walton, the English agent at Rome, January 28 (Record Office); and "Secret Intelligence," January 25, 1744, in Mahon, iii. lviii. There are also contemporary letters in the Stuart MSS.
- ⁶¹ Lord Elcho's Memoirs are quoted by Mr Ewald, in his 'Life of Prince Charles.'
- ⁶² Stuart MSS.
- ⁶³ Mahon, iii. 173, note 3.
- ⁶⁴ Villeneuve to Amelot, February 1, 1744; Memorials of John Murray, p. 497.
- ⁶⁵ Memorials of John Murray, p. 498.
- ⁶⁶ Memorials of John Murray, pp. 66-69.
- ⁶⁷ Louis XV et les Jacobites, p. 35.
- ⁶⁸ Louis XV et les Jacobites, p. 52.

- ⁶⁹ Louis XV et les Jacobites, p. 57.
- ⁷⁰ Memorials of John Murray, pp. 498, 499, Appendix.
- ⁷¹ Louis XV et les Jacobites, p. 79.
- ⁷² Memorials of John Murray, Appendix, pp. 498-500.
- ⁷³ Stuart Papers ; Memorials of John Murray, p. 501.
- ⁷⁴ Stuart MSS.
- ⁷⁵ Memorials of John Murray, pp. 501-503.
- ⁷⁶ Memorials of John Murray, p. 90.
- ⁷⁷ Memorials of John Murray, p. 93.
- ⁷⁸ Memorials of John Murray, pp. 94-103.
- ⁷⁹ Stuart MSS.
- ⁸⁰ Memorials of John Murray, p. 504.
- ⁸¹ Memorials of John Murray, pp. 108-110.
- ⁸² Memorials of John Murray, p. 121.
- ⁸³ A Royalist Family : 1904.
- ⁸⁴ Memorials of John Murray, Appendix, p. 507.
- ⁸⁵ Stuart MSS.
- ⁸⁶ Memorials of John Murray, pp. 142, 143.

CHAPTER XVIII.

THE RISING OF 1745.

THE adventure which Charles was now achieving had been schemed by James for himself, after the failure of the French invasion of 1708. In many ways the plan which looked so reckless was the best that could be devised. If Charles landed in the territory of the loyal clans, and if they rose, as they would do rather than desert the Prince who threw himself on their chivalry, the nucleus of an army was provided. Under Montrose and Dundee the Highlanders had shown what they could do both against the Lowland Militia and regular forces. Scotland was at this moment almost denuded of regular forces: the army was engaged abroad. If Murray had organised the Lowland gentry, they could provide a small cavalry contingent at least; and Charles, whose main object was to force the hand of France, reckoned that a French army would be despatched to his assistance. The exiled Stuarts, deceived by sanguine reports and loyal messages, never knew how weak and timid were the Jacobites of England. That country, as much evidence shows, was mainly indifferent. There was little enthusiasm for a Restoration; there was not much more for the House of Hanover, which wasted the wealth of the country in foreign wars, as the party of the Squires viewed the matter.

It was on July 2 that the Prince embarked at Nantes on board the *Dutillet*, or *La Doutelle*, as the ship is commonly called. The moving spirits were his Irish friends, Sheridan, Kelly, and Sullivan, who became Quartermaster-General, and was ever on bad terms with the General, Lord George Murray. Sullivan, it is said, had been bred for the priesthood, had rejected the gown for the sword, had fought in Corsica, in Italy, and on the Rhine, and was believed to be skilled in irregular warfare.¹ In his Memoirs Lord George

Murray expresses a very low opinion of Sullivan: the Irish and Scots were always at odds, with fatal results. The rest of the "Seven Men of Moidart" were an old and convivial Sir John Macdonald; a man Buchanan; Æneas Macdonald of the Kinlochmoidart family, a banker in Paris, and, later, an untrustworthy evidence against his companions; with Strickland, whom James greatly distrusted as of evil influence on the Prince,² and Tullibardine, the disinherited Duke of Atholl, who was out in 1719. Anthony Welch or Walsh, the owner of *La Doutelle*, did not remain long in Scotland.

On July 13 the *Doutelle* was joined by the *Elizabeth*, fitted out by Rutledge, or Routledge, a Dunkirker. On July 15 they set sail for Scotland. On July 20 the *Elizabeth* fought, west of the Lizard, the *Lion* (Captain Brett). According to Durbé, captain of *La Doutelle*, his guns were so outclassed that, with his sails in tatters from the English fire, he could not take part in the fight, but meant to join in if the crew of the *Elizabeth* boarded the *Lion*. Both warships were severely damaged and lost many men. The captain of the French vessel, Monsieur d'O, was severely wounded by the last shot of the *Lion*.³ The *Elizabeth* put back to harbour, but *La Doutelle* held on, sighted Bernera on July 22–August 2, and on the following day Charles first set foot on British soil, landing at Eriskay. He was dressed as a young minister, and slept in a smoky hut. Charles sent for Clanranald's brother, Macdonald of Boisdale, in South Uist, who advised him to go home. "I *am* come home," said the Prince, and though Boisdale had no hope in Macdonald of Sleat and in Macleod, he sent messages to them. Macleod at once warned (August 3) Forbes of Culloden, saying that it was "needless to mention" himself and Sleat as the sources of information.⁴ Young Clanranald had been with them, and had given assurances of his prudence.

Not awaiting replies from Macleod and Sleat, Charles sailed to Lochnanuagh in Arisaig, and landed at Borradale (July 25–August 5), going to the farmhouse of a Macdonald. Here Macdonald of Kinlochmoidart joined him, and was sent to summon Murray of Broughton, Lochiel, and the Duke of Perth. Young Clanranald evinced his prudence by visiting the Prince on ship-board, with Glenaladale and Morar, who has left an account of the campaign, published in the 'Lockhart Papers.' Clanranald and another Macdonald were sent to Sleat and Macleod. Glengarry's

men were represented by Scothouse, and he, with Keppoch and Glencoe, are said to have urged the Prince to retire to France. Clanranald, finding Sleat and Macdonald obdurate, was also for retreat, but, according to Home, young Randal Macdonald, brother of Kinlochmoidart, turned their hearts. "Will *you* not aid me?" said Charles. "I will, though no other man in the Highlands should draw his sword." "The heather was ablaze" at this word, and the die was cast. This must have been as early as August 4, O.S., when Charles from Lochaylort wrote to James, "I am joined here of brave people, as I expected": he has not, however, yet set up the standard. He is prepared "to dye at the head of such brave people as I find here." "The French must take off the maske or have an Eternal sheme upon them; . . . and wee, whatever happens, will gain an immortal honour by doing what wee can to deliver our country, in restoring our Master, or perish Sord in hand." ⁵

The spirit which the Prince displays in this letter came home to the hearts of the Macdonalds. James (August 11) wrote to Marischal that the sentiments of the Prince "will always do him honour," but adds that he would never have advised the enterprise. Murray represents Lochiel as coming in without hesitation. Other authorities say that he sent his brother, Dr Archibald Cameron, to dissuade Charles, and that he did not come in till he received security for the full value of his estate. This is a moot-point.⁶ In any case Lochiel raised his clan, as Glengarry raised his, under his brave and unfortunate second son Angus, a lad of nineteen, already married, and a father.

On August 1 the British Government disgraced itself by placing a reward of £30,000 on the head of Charles,—a direct encouragement of murder. The Prince, before hearing of a measure which he despised, sent away (August 8/19) Walsh with *La Doutelle*, cutting off his own retreat. It was not till August 19, O.S., that Charles raised the standard at Glenfinnan, where his monument now stands, at the head of Loch Shiel, and in the centre of noble mountain scenery. Before that date Government had begun to move. They had captured Sir Hector Maclean in June, and from information in a letter of Murray's found in his possession, they endeavoured to take the Duke of Perth. Campbell of Inverawe, commanding a company at a village near Drummond Castle, contrived a very unchivalrous *ruse*, which the Duke escaped ingeniously

by means of an unguarded staircase communicating with his dressing-room. While lurking he heard the news of Charles's arrival through a messenger sent by Kinlochmoidart: Murray, too, was warned, made hasty preparations, and laid a scheme to blind the Lord Advocate. He sent for Rob Roy's son, James Mor Macgregor, who, as he knew, was *lié* with General Cope and the Advocate. He found James "far from being unsusceptible of flattery" and "regardless of his private interests."

James was induced to pretend to betray the news that young Glengarry had landed at Arisaig with letters from Charles, who was in hiding at St Omer, and was then to ask for men from the Highland forts to seize Lochiel and Glengarry. The forts being thus weakened, they might be taken by his clan. While James did what he could to deceive Government, Murray hastened to Lochiel's house of Achnacarry, and became Charles's secretary and organiser.⁷ According to Maxwell of Kirkconnell, Murray at first advised the Prince to return to France, as he had come without forces. Sheridan replied that the Prince had come on Murray's encouragement, and that in honour he was bound to join the Rising. He therefore came, having at this time some notion of honour. Here we must remark that Maxwell is one of our best authorities for the expedition. He wrote as soon as possible after the events, and he wrote lucidly, impartially, and without prejudice, except where Murray of Broughton is concerned. Though not a member of the Council, he had good information. His modesty did not allow him to speak of himself; he was not the Mr Maxwell who escaped with a companion from Carlisle just before the surrender.⁸

Sir John Cope commanding in Scotland, at the head of some 2500 or 3000 men, scattered all about the country, was meanwhile by no means indolent. But he was trammelled by the natural dislike between Islay (now Duke of Argyll) and Tweeddale, Secretary of State. Cope had always to consult these authorities and Forbes of Culloden, who sped to Inverness on August 13, to rally the Whig clans. The other chief officers of justice were also to be consulted; yet as early as July 9, on information received, Cope was concentrating his scattered forces. He was at first reckoned an idle alarmist, and his requests for artillery were little heeded. Argyll, without orders from Government, could not arm the Campbells, and the Whig clans had obeyed the orders for dis-

armament. On August 8 Cope began to concentrate and collect stores at Stirling.⁹

Presently the first shot was fired. On August 16 a band of Keppoch and Glengarry men ambushed and captured, between Spean Bridge and Loch Lochy, two companies of Royal Scots, and Murray came athwart the skirmish as he rode to Achnacarry. He saw that the regulars marched, without an advanced guard, "in a confused heap" till they were met; and they ran some twelve miles, he declares, before they were taken.¹⁰ Cope had marched to Crieff, where old Glengarry and Lord George Murray met him as friends and allies. Atholl, too, appeared, and then set out for England, leaving his brother, the exiled Tullibardine, to "play his personage" among the Atholl clans. Cope, who wished to enlist them, had no pay to give them. He went north and met a Captain Swettenham, a prisoner of the Macdonalds, released by them, and heard from the captain that Charles had twenty swivel guns. The effect of this information will appear later; meanwhile, two or three days before Cope marched north from Crieff, Tullibardine (August 19, O.S.) raised the standard at Glenfinnan. Some 1200 were gathered—Macdonalds and 700 Camerons—in this beautiful spot, watched by the proud crests of hills which are the Prince's monument. On August 21 or 22 Charles, at Kinlochiel, heard that Cope was about to march to encounter him, making for Fort Augustus. Charles therefore summoned Glencoe, Glengarry, and the Appin Stewarts, and himself reached Invergarry on August 26. Here, says Murray, Lovat sent an envoy to obtain his commissions, "with apologies for his men not being in readiness,"¹¹ and asked for a warrant to seize Forbes of Culloden, dead or alive. At the same time (August 23) Lovat wrote to Forbes denouncing "the madmen with the pretended Prince of Wales," and demanding arms to be used against them. On August 24 he said that he was trying to induce Fraser of Gortuleg to meet the clans, and induce them to spare his property. Now it was Gortuleg who carried Lovat's request for his commissions, and for a warrant to seize or slay Forbes!¹²

There is a touch of insanity in the cunning of Lovat. His emissary, Gortuleg, wrote to Forbes (August 29), with the news that on the previous day the Highlanders had marched to a place four miles from Fort Augustus, at the foot of the Pass of Corryarrick, and that they expected Cope to move by Ruthven to Inverness. The Prince "called for his Highland clothes, and, at

tying the latches of his shoes, he solemnly declared that he would be up with Mr Cope before they were unloosed." Gortuleg stated the Highland numbers at 2030: all were Macdonalds except 700 Camerons and 220 Stewarts of Appin.¹³ This little force was the steel point of the Prince's army: later recruits were of lower value, but, as yet, there was no leader of genius. On August 28 the clans ascended the Corryarrick Pass and occupied the crest. From Gortuleg's letter it would seem that Charles knew Cope's intention not to attempt the Pass, for Cope had heard from Captain Swettenham that it would be lined with the famous twenty-four swivel guns, and feared to face them. The clans, in fact, buried the greater part of the guns as useless *impedimenta*. If Gortuleg spoke truth, Charles must have expected to *pursue* Cope, not to fight him in the Pass, as Murray says was his intention.¹⁴ According to Murray, deserters from Cope told Charles, to his chagrin, that he had set off for Ruthven, where there was a fort, *en route* for Inverness.

The clans, hearing that Cope was weak and his alluring baggage great, were for pursuing him. Charles consulted the map, and calculated that he could not overtake Cope before he reached Inverness; and a plan for sending 500 fleet men by a mountain way to detain him till the rest came up by Wade's road was considered and rejected. The five hundred were likely to force on an unequal fight before the main body could appear, while the first fruits of Lovat's calculated delays were that the local Farquharsons and Mackintoshes waited his word and held aloof. Had Lovat been daring, they would now have risen, and Cope would have been surrounded and destroyed. The result would have been the march of the whole of the North on Edinburgh, and the consequence might have been fateful.¹⁵ Murray and others have criticised Cope severely for not occupying the plain near Dalwhinnie. But he had a choice of difficulties; and if on one hand he allowed the clans to capture Cluny and obtain the alliance of the Macphersons, on the other his cause was victorious at Ruthven, where a gallant Irish sergeant, Molloy, with twelve privates, gave "bloody noses," as he wrote, to a small party of assailants under Sullivan and Dr Cameron.¹⁶

On August 29 Cope reached Inverness, where he could keep down the Frasers if they attempted anything, and on the 30th Charles, from Dalnacardoch, commanded Strath Tay, Blair Atholl, and the unoccupied Pass of Killiecrankie. From the 31st August to

September 2 Charles was in pleasant quarters at Blair, where "Tullibardine, the exiled, the dear," was warmly welcomed by his clan, while the Prince led a dance at Lude, and for the first time partook of pine-apples, a fact that interested Horace Walpole. The Macgregors, meanwhile, were taking the little fort and garrison of Inversnaid, and George II. arrived in London from his dear Hanover. In London, on Stair's proposal, it was decided to enregiment the Whig clans. Blank commissions and a promise to repay his expenditure of money were sent to Forbes.¹⁷ How the promise was kept by the Government is too well known. A memorial of Stair's proves that the English forces were scanty, and that he expected too much from the useless old walls of Edinburgh, and from a thousand volunteers who were not forthcoming.¹⁸ Stair thought that Cope had made a mistake in going north, and that he had better retrace his steps for the defence of the capital.

Leaving Blair, Charles halted at Dunkeld, was in Perth on September 4-10, and was there joined by the Duke of Perth, Lord George Murray (whose previous dealings with Cope caused a suspicion never allayed), Lord Ogilvy, Lord Strathallan, Oliphant of Gask, and others. Two hundred of the Robertsons of Struan came in. Cluny went north to raise Clan Vourich; and from the Prince's cousin, Louis de Bouillon, and the Prince of Campo Florida, came most flourishing assurances of help from France and Spain.¹⁹ It seems that these letters were circulated to encourage the friends of *la bonne cause* (as Mr Blaikie remarks). Several copies exist.²⁰ But France was doing nothing. They paid no heed to a *Mémoire* of August 20 from the Earl Marischal, nor to the one-eyed slovenly Lord Clancarty, who, as usual, could produce no *written* assurances from the useless Jacobites of England.²¹ Meanwhile Cope occupied September 4-11 in marching from Inverness to Aberdeen to take ship for Edinburgh. We catch a glimpse of the Prince from information sent by Cope. He "is in a fine Highland dress laced with gold; wears a bonnet laced; wears a broadsword; had a green ribband [Order of the Thistle]: a well-made man, taller than any of his company."²² The unsuspecting Forbes was offering Lovat commissions for officers in a Whig regiment (September 19), while he let the shifty chief know that he had heard "silly stories" that his plans were Jacobite. Lovat kept contradicting the allegations, but appears to say nothing about the commissions.

The conduct of Lord George Murray had not been much more

straightforward. It was unworthy of this brave and, in all other respects, honourable man, to occupy the post of Sheriff-Depute under Government; to visit Cope on August 21, with old Glogarrig; to "pooh-pooh the Rising" in a letter to the Lord Advocate, after his visit to Cope; and then to accept, with the Duke of Perth, the rank of Jacobite Lieutenant-General.²³ Lord Elcho, who joined Charles near Edinburgh, had known the Prince in Rome. In his Memoirs he says that Charles informed him that he knew Lord George joined him merely to betray him, and that two Irish officers were to watch Lord George, and slay him if he showed treachery. (Extracts from Lord Elcho's unpublished Memoirs are given by Mr Ewald in his 'Life of Prince Charles.') Again Henderson, in his contemporary 'History of the Rebellion,' says that Lord George's brother, Tullibardine, "signified his distrust" when he came in at Perth. Certainly Lord George's behaviour suggested suspicion; but Maxwell of Kirkconnell speaks of Murray of Broughton as "beginning by representing Lord George as a traitor to the Prince" from mere jealousy, and Lord George "soon came to know the suspicion the Prince had of him."²⁴ Nothing in Murray's 'Memorials' suggests anything corroborative of Maxwell's statement about him.²⁵

Lord George was passionate and outspoken; there never was complete trust between him and Charles; but the original fault was his own "policy" of affecting to be friendly to Government. He despised Sullivan, and the Irish with the Prince distrusted all the Scots, while they had the ear of Charles. These facts were ruinous to the Cause. Later, the army believed that when a Highlander broke the stick of a stranger in a quarrel, there was found in the stick a letter from Atholl advising his brother, Lord George, to desert with the Atholl men. Now Atholl's factor, Bissat, was wont to send secret intelligence rolled up beneath the leather of a whip handle.²⁶ The coincidence is curious. Lord George, once engaged, was, in fact, absolutely loyal, though perhaps once or twice mistaken in his strategy.

On September 12 Cope set sail from Aberdeen, and Charles, on the following day, mastered "Forth, that bridles the wild Highland-man," by crossing at the difficult fords of Frew, near Arnprior, the house of an adherent, Buchanan. In crossing Forth the Prince did what Mar never achieved in 1715. Meanwhile Colonel Gardiner, famous for his piety, withdrew his dragoons to Linlithgow, in place of attacking the clans in their march. A mysterious event

occurred at Buchanan's other house, Leny, near Callander. Stewart of Glenbuckie, on his way to join the Prince, stayed here for the night, and next morning was found shot, a pistol in his hand. His host, later hanged, proclaimed his own innocence: Glenbuckie's men went home. Charles now led his troops on the southern side of Forth, passing Stirling, where the Castle fired a distant and random gun. He slept at Callander House, Lord Kilmarnock's, whither Mary brought Darnley on his fatal journey to Kirk o' Field, —a haunted house for Charles. Lunching with Sir Hugh Paterson at Bannockburn House, he may have met the black-eyed Clementina Walkinshaw, Sir Hugh's niece, and thought more of her than of Bruce. Lord George, at night, attempted to surprise Gardiner at Linlithgow, but the dragoons had again beaten a retreat. Linlithgow was the next stage; on the 16th, Corstorphine, near Edinburgh, was reached, Gardiner's dragoons retiring to meet Hamilton's at Coltbridge, utterly demoralised.

In Edinburgh all was terror and confusion. The mere name of the Provost, Stuart, caused him to be suspected; he was later tried and acquitted, probably with justice. Professor Maclaurin had been trying to fortify, with scanty assistance, the ramshackle old wall, and had mounted a few small guns.²⁷ Maclaurin is called "the Archimedes of the age" by "an Impartial Hand," "who was an eye-witness to the Facts." Public and private treasures were stored in the Castle, where were arms enough for 6000 men. There came in about a sixth of that number of volunteers, with the future Dr Carlyle, and hasty efforts were made to teach them the use of weapons. On Sunday morning (September 15) they were told that they, the Town Guard, half of a new regiment, and the rural volunteers, were to march out and attack the enemy advancing from Corstorphine on Grey's Mill, near Slateford on the Water of Leith. Hamilton's dragoons were cheered by the volunteers as they trotted to join Gardiner's, but one young preacher remarked that he was reminded of the attack of the Gens Fabia on the Gauls approaching Rome. "They all perished to a man." All who heard him laughed, and he was advised to return to his Livy. But the gallant volunteer band melted as it marched to the West Port, and no supports appeared. The bells "jowed," congregations were scanty, the Principal adjured the students to remember their dear kinsfolk, and, in fact, nobody moved with the dragoons except ninety veterans of the Town Guard, once commanded by Porteous.²⁸

In the open, on Monday, both regiments of dragoons fled from a small patrol of Jacobite mounted gentry: the rout is called "the Canter of Coltbridge." They were seen flying along the road now occupied by George Street, and they did not stop till they reached Musselburgh, six miles away. The Lord Advocate, the Justice-Clerk, and the Solicitor-General decamped to their country houses, while the Prince sent a caddie or street messenger to summon the Provost to surrender. A confused meeting was held in the Goldsmith's Hall: the Provost, who declined to read the letter signed "Charles, Prince Regent," was not supported, and three Bailies, with the Convener, were ordered to meet the Prince. They returned with a repetition of his demands, and a new deputation went to ask for delay; but there was a rumour that Cope had reached Dunbar, and no delay was granted. Coutts, one of the envoys, deposed at the Provost's trial that he heard Charles say to Lord Elcho, a recruit of that night, "My Lord Elcho, Lord George has not spirit to put this order into execution; you must go and do it for him." Elcho then came out, and briefly remarked "Get you gone!" Horace Walpole, who had known Elcho in Italy, accuses him of ferocity, and no entreaties, later, won his pardon from Government. Lord George, says Coutts, was gentler,— "I know your pinch," he said; "you want to have the consent of your principal inhabitants. Make haste to town: you'll have an hour or two to obtain it."

Back went the Bailies in their cab, and when the Nether Bow was opened for the coach to go out to its stable, about 3 A.M., Lochiel seized the porter, and in marched his Camerons. Murray had led them round by Merchiston; under the Castle guns they had heard the sentries challenging and replying, and they simply walked into Edinburgh behind the Bailies.²⁹ Murray describes the state of the walls, and the scheme which had been formed for taking them. The place would have fallen in half a day certainly, with deplorable results. Sullivan now disposed guards; the Highlanders behaved in the most quiet style, Lochiel having forbidden them to taste the offered drams. They were naturally soldiers of the best, as orderly as they were brave: from ordinary troops Edinburgh might have suffered sorely.

Cope reached Dunbar about the time when the Highlanders took the town. Charles entered Holyrood at noon: people knelt to him and kissed his hand when he dismounted, and he "received

them in a very popular way," says an eyewitness, the "Impartial Hand." He was in Highland habit, rather strangely composed of "red velvet breeches, a green velvet bonnet, with a white cockade," and boots. Probably he wore a tartan jacket, or a plaid over his coat. "His speech was very like that of an Irishman." Proclamations were now read at the Cross, the Camerons forming a guard, and Charles entered the palace and occupied the Duke of Hamilton's rooms. The Prince had come home at last to the house where his race had known so many strange fortunes; where Riccio was stabbed; where Mary held Twelfth Night revels and confronted Knox; where she whispered with Bothwell on the morning of Darnley's murder; where a later Bothwell kidnapped James VI. It was an hour of great adventure, of forlorn dreams at last fulfilled,—an hour for tears of joy. *Nunc dimittis* may have been the thought of many a heart long true to impossible loyalties, long sick with hope deferred.

At the Cross the beautiful Mrs Murray of Broughton, whose fate is so mysterious, sat her horse, a bright sword in her hand, distributing white cockades to the crowd. The ladies were almost all Jacobites; but they did not secure many volunteers for the Prince, who was already arranging for supplies, and seizing arms for a host in which scythes set on staves did military duty as bills. No time was to be wasted: Cope had disembarked his men at Dunbar by September 18. He had good intelligence through Mr Home, later known as the author of 'Douglas,' one of the academic Edinburgh volunteers, who had watched the distribution of food to Charles's men, carefully counted them, and estimated them under 2000.³⁰ This agrees with what we know of the composition of the force at this moment: the recruits just arrived may have brought the host up to 2400. At Aberdeen Cope had guessed the enemy at about 4000: the muster-roll of Patullo the Muster-master, lent to Home, puts the Jacobites at 2500. Cope, by the calculation of the late Sir Robert Cadell, had Hamilton's and Gardiner's demoralised dragoons, 1400 foot, six small guns manned by sailors, and six small mortars, while Charles had no artillery.

On September 20 the Prince marched, having learned that day that Cope had 2700 men.³¹ He provided amateur ambulances, coaches and chaises, and threw his handful of horse, under Elcho, in advance as scouts. According to Carlyle, who was acting as

a kind of scout for Cope, he was surprised when that General, avoiding the high post-road through Tranent moor, which commanded the country, turned to the right and the level lands on the north towards the Firth of Forth, and occupied an open field of two miles in length by a mile and a half in breadth, extending from Seaton to Prestonpans and from Tranent meadow to the sea. Carlyle understood that Cope had meant to occupy ground defended by the Esk in front, with Dalkeith and Musselburgh handy for supplies. But Home and Loudoun brought news that the clans were on the march, "through Tranent without a stent," as Skirving's song says, and, after a hesitating halt, Cope made for the fields already described, bare of sheaves, unenclosed, and marked by a solitary thorn-tree—later the centre of the slaughter. Cope's army fronted west, but seeing the enemy on high ground at Birsley, a mile away to the south-west, he shifted eastward to front them. The Chevalier Johnstone, an imaginative writer, but experienced in war, describes Cope's position as fortified by nature, and the happiest for so small an army. In front was a morass, and, just in advance of the outposts, a deep ditch of twelve feet wide, into which the morass drained itself. On the left was another morass, behind Cope was the sea, and his right rested on high park walls.³²

The clans manœuvred so that Cope changed his front : his right now was defended by the ditch and morass, on his left was the sea. To cut his road to Edinburgh, Charles posted some Highlanders in the churchyard of Tranent : Cope shelled them, and, after a dispute between Sullivan and Lord George, they were withdrawn. The facts are obscure : Carlyle, from the church steeple, saw a body retire, and another, or the same, occupy a "loan" leading south-west from Prestonpans.³³ The object of these manœuvres was to sever Cope from Edinburgh. Carlyle, fatigued with duty, now went to bed, was awakened by the first gun, ran out, and learned from his father, who had watched from the steeple, that Cope was already routed : so rapid was the victory of September 21 !

The common story is that Charles did not learn till the dead of night that there was a path through the morass. Murray, however, represents this news, given by young Anderson of Whitburgh, as having been brought while apparently there was yet light enough for the battle on September 20. Lord George wished to charge,

but "the night being far advanced," Charles delayed. The tale is confused, but Carlyle represents Gardiner as aware that the Highlanders "were very near our army, with little more than the morass between."³⁴ Murray says that the clans were within three hundred and fifty yards of Cope, but apparently these yards were occupied by the morass, through which a way was not shown till after midnight. The clans passed through in the dark: the path, says Ker of Graden, a Roxburghshire volunteer and admirable officer, whose account is in the 'Lockhart Papers,' was wet to the knee. The Prince was not permitted to lead the first line, and, with Macdonald of Morar, led the second, falling, says Johnstone, who was near him, as he leaped the ditch.

Meanwhile, having crossed to firm ground, the Macdonalds, on the right, under Perth; the Camerons and Appin Stewarts, on the left, under Lord George, threw down their plaids, drew swords, and simply drove Cope off the ground. So swiftly was all over that the Prince and Johnstone, "not more than fifty paces behind, and running as fast as we could," found the field empty except for dead and wounded men.³⁵ As at Killiecrankie, the battle was ended, as Mackay says, "in the twinkling of an eye." On the left the Camerons and Macgregors, urged on by a speech from their wounded leader, James Mor, swept over the unmanned guns, which were discharged once by Colonel Whitefoord. The dragoons beside them fled at once, some towards Berwick, some to the Castle of Edinburgh,—“they ran like rabbits,” as the Prince wrote to his father. Colonel Gardiner, wounded by a bullet, but striving to rally a knot of infantry, was cut down by a crowd of Highlanders. Whitney's dragoons, instead of falling on the Cameron flank, wavered and galloped away eastwards. The English infantry opposed to Perth, being confused and surprised, “gave only an infamous puff, and no platoon,” says Lord Dunmore; “fired too soon, and almost turned their backs before the Highlanders could engage them with their swords,” says Murray.³⁶ “The foot gave one good fire from right to left; but before they could give a second, the Highlanders were upon them sword in hand,” says Maxwell.³⁷ The fire accounted for the Prince's losses, “being all gun-shot,” says Murray.

Charles, writing to his father (October 7/18), states his killed and wounded at about a hundred.³⁸ Friends like Maxwell and Murray, and an honest foe like Home, agree in testifying that the Prince

"thought of nothing at first but having the wounded taken care of, his enemies as well as his own."³⁹ Home says that this duty occupied him till mid-day; and Murray even grumbles that Cope's men were seen to first, "to the great loss of the wounded of his own army."⁴⁰ Carlyle also remarked the humanity of Charles's officers, and learned that the chiefs "were civil to everybody."⁴¹ The contrast of Cumberland's brutality after Culloden is black enough! From traditional anecdotes it seems probable that, in the heat of blood, clansmen cut down brave English officers who refused to surrender, or, at least, that "they were pressing to have cut them down." Thus the gallant Colonel Whiteford, who alone stood by the guns, would have been slain but for the interposition of Sir Walter Scott's friend, Stewart of Invernahyle. Gardiner might have been overmastered and taken, but his desire was not to live. There is also a local tradition that some runaways were sliced from behind in trying to climb the high wall of Pinkie park. But the chiefs did their best to prevent useless slaughter, as the list of captured officers proves. Of these almost all—Sir Peter Halket was an honourable exception—obeyed Cumberland's order to break their parole.

- Murray reckons Cope's loss at 8 officers and 300 men killed, and 400 or 500 wounded and taken, with 83 officers. Lord George says 1200 killed and wounded, and 1800 prisoners, the wounded included.⁴² All the baggage, with its guard of Highlanders, was captured, and the guns, of course, were taken. The affair was like a sudden onslaught of Soudanese spearmen or Zulus, an Abu Klea or Isandhlana. Murray, like Carlyle, blames Cope for not having marched earlier and secured the Esk from Inveresk to Pinkie, while his choice of ground proved to his troops that he distrusted them if they were not secured by natural fortifications and the park walls which barred their flight. He neglected to reconnoitre the morass, and posted no men and guns to guard the pass. It is always easy to criticise a defeated general; but Cope was certainly not responsible for the flight of the demoralised dragoons, who, if confident, might have saved the day, nor for the lack of artillerymen. With Cope's troops no English general of the day would have been victorious, granting that the Highlanders were allowed to take the offensive, and that the artillery could not come into action.

Had Charles been at the head of a full muster of the clans, the policy of audacity would have led him to enter England before

England could call back her troops, and her Dutch, Swiss, Danish, and Hessian mercenaries from the Continent. The Prince, says Murray, considered the project of crossing the Border, but his little army was reduced by desertions: clansmen were carrying home their loot: to leave Edinburgh would be to enable the English reinforcements to land in his rear. The Prince therefore sent messengers to ask for men, arms, and officers in France, while Kinlochmoidart, Macleod of Muiravonside, and Macdonnell of Barisdale were despatched to Sleat, Macleod, and Lovat, doubtful and dilatory allies.

To many qualified observers the affair seemed, in the Greek idiom, to be "on a razor's edge,"—a featherweight might turn the scale for Rome or for Herrenhausen. But the Prince must have seen that there was no general ferment of loyalty to him, or of desire to break the Union, and secure national independence. His cause was without a solid political basis. The chiefs, like Clanranald and Lochiel, had come out from a mere sense of honour, and their men, delighting in adventure, followed the chiefs gladly, save when they were brought out, as in Atholl, by burning their houses over their heads. Blair of Glasclune writes later to Tullibardine: "I have succeeded tolerably, though in a manner very contrary to my inclination, being *often* obliged to use the greatest extremities—namely, that of burning."⁴³ The plea of having been "forced out" was often fictitious, but in this and other cases was undeniably true.

Thus the clans fought for honour, or because they had no choice in the matter, or for the mere excitement of *res novæ*. Among the Lowland gentry the old fierce patriotism of Lockhart was decaying, and it was loyalty to the cause and king of their fathers, loyalty raised to the height of ardent personal love, which brought out such men as the Oliphants of Gask, Lord Pitsligo, and other representatives of the Cavaliers. Their grievance was the persecution of their little Church, and another motive was hereditary disdain of Presbyterian discipline. Such motives influenced only a small minority, and when Charles in his proclamation promised freedom, he learned that the country had as much liberty as it wanted, and that the majority associated his family and creed with slavery and persecution. He supposed that a long course of oppression had rendered them apathetic, but they understood their history in the opposite sense. Practically he had no political cause and

no political support, but apathy was more conspicuous than loyalty to the German rulers.

Marshal Wade, according to Henry Fox, said that if 5000 French arrived before 6000 Dutch, and ten English battalions from abroad, "England was for the first-comer." The country was indifferent: loyal Whig attempts, English or Scottish, to raise regiments were not encouraged. Marchmont, Stair, and Montrose met on September 10: Marchmont and Montrose were chilled by the contempt of Stair, and Queensbury by Tweeddale, who put his trust solely in British, Dutch, Swiss, and Danish regular troops. France was not more eager to help Charles. On September 24 Monsieur d'Eguilles got his orders to go to Scotland as a kind of military *attaché* to the Prince, to ascertain his real situation.⁴⁴ D'Eguilles was not publicly accredited to Charles, whom he served to the best of his power, while France dallied, and threw away an opportunity which was excellent—if, that is, she could transport 5000 men to England. Probably she was quite unable to face the British fleet. However that may have been, Sempill and Balhaldy's fables had made Louis XV. distrustful, while by September 25 fresh Dutch and English regiments had arrived in the Thames, and were to meet at Newcastle, under Wade. General Huske had left London for Newcastle on September 24; Newcastle, writing to Matthew Ridley, announced that 2000 men would land from Dublin at Chester; and Ridley, writing to Forbes of Culloden, said that 2200 Swiss, with five companies of horse, were marching north.⁴⁵ Wightman, however, at Newcastle, believed that all would be over if the French landed near London: he describes Gardiner's dragoons as "Irish dogs": if so, they may have been in sympathy with the force from which they fled.⁴⁶ Charles's envoys were meeting with little success in the effort to stir up Macleod, Sleat, and Lovat, while at Edinburgh there were feeble attempts to blockade the Castle, which fired on the town. Finally Charles withdrew the blockade (September 29–October 5). Reinforcements from the north kept dropping in,—Ogilvy with 600 men; Viscount Dundee with a few gentlemen; old Lord Pitsligo with over a hundred mounted gentry and some 250 foot; 120 Gordons and Mackinnons; the Master of Strathallan with 300 men; Arthur Elphinstone (Lord Balmerino), a hundred Macgregors; and, by October 30, Tullibardine with a rather reluctant 600 men from Atholl.⁴⁷

Great promises were made by Macleod and the Frasers, and

Lovat's letters to Forbes of Culloden, in October, become almost Jacobite: he says that he is unable to stop his clan, who insist on marching under his son, Simon, a student at St Andrews. A feeble attempt to attack Culloden House was made on October 16 by the Frasers, for which Lovat apologised. His son did march before the end of November; but Lovat's delays had taken the spirit out of a gallant clan, who never knew what were the real designs of their venerable chief. It is not improbable that Charles's muster-roll included 6000 efficient men, while a shuffling treaty of alliance with France, concluded at Fontainebleau between d'Argenson for Louis XV. and O'Brien for James, neutralised the 6000 Dutch who, by the previous treaty of Tournay, could not fight against France or her ally.⁴⁸

The Prince did not fail to understand the almost hopeless nature of his enterprise. D'Eguilles told his Government that Charles had 10,000 men,—a greatly exaggerated estimate; but Charles assured him that, if French assistance did not come, or came too late, "I cannot resist English, Dutch, Hessians, and Swiss." He had not yet learned that the Dutch were neutralised under the treaty of Fontainebleau (October 23). On October 15/26 Charles wrote his last letter to James, from this country, which I have seen in the Stuart MSS. at Windsor Castle. He expresses much affection and regret for having offended the king by taking with him Strickland, whom James, for various reasons, thought a mischievous adviser. Strickland was in ill-health, and died at Carlisle. Charles states his force at 8000, with 300 horse, but the infantry are over-estimated. "With these, as matters stand, I shal have one desisive stroke for't, but iff [unless?] ye French land, perhaps none. . . . As matters stand, I must either conquer or perish in a little while."⁴⁹

The Prince's courage and sense have been disputed, but when he wrote this letter—

"Like some bold seer in a trance,
Seeing all his own mischance"—

he displayed both bravery and a full intelligence of the situation. With a price on his head he ventured into the heart of England, merely to win a battle if he might, and, by his risk, and his victory if he won it, to extort aid from the most shifty of nominal allies. It was a gallant enterprise, and the whole weight of the

evidence proves that the Prince never blenched, but steadfastly went to his glory or his grave. The mass of the clans were as resolute and as eager: whatever befell later shakes no rose from the chaplets of Charles and his men. From the Prince's letter to James it appears that, if no French force landed in England, he had no hope of any considerable English rising. On September 27 his envoy to the English of his party, one Hickson, had been arrested at Newcastle.⁵⁰ In place of a French force, the timid English Jacobites saw the Duke of Cumberland, who was a resolute if not a scientific general, landed from Flanders on October 19.

On October 30 Charles held a council of war. French supplies had been safely landed at Stonehaven, with artillery and gunners under Grant, an excellent officer in French service. From Stonehaven Mr Colville announced that 6000 French, under the Earl Marischal, were ready at Dunkirk; but the prayers of the Duke of York, now in France, were of no avail,—the French merely dallied as usual. Still, there were hopes of them, and the Prince, according to Maxwell of Kirkconnell, was anxious to attack Wade at Newcastle, or wherever he could find him on the eastern route. This was the better plan, as, the Dutch being neutralised, Wade senile, and his English force wearied with marching, the Prince would have won an encouraging victory on English soil! Of course, the volunteers of England were of no military value. Lord George Murray, as usual, opposed Charles, urging the difficulty of crossing Tweed, which might have been considerable, after a defeat. Still, to march to Carlisle was to leave Wade on the Prince's flank, in place of "discussing" him, and clearing the way. Murray justly remarks that to evade Wade was to permit him to join Cumberland as soon as he marched north. Charles would then either have to fight thrice his own numbers, or slip south, where nobody would join a leader with an overwhelming force on his rear; or—retreat, as he did, from Derby.⁵¹

In the circumstances, as far as we can venture an opinion, Charles (perhaps advised by Sullivan) chose the better part; but he was overruled by Lord George, gave up his own plan, and went to meet the inevitable failure. Granting that Lord George's plan was the more unhopeful, his dispositions were good for the western advance. On October 31 Charles, reinforced by 400 of Cluny's Macphersons, concentrated at Dalkeith. On November 1 Tullibardine and Perth, with the Atholl men, the Lowland recruits, the

artillery, the regiments of Ogilvy, Glenbucket, and Roy Stewart, and Kilmarnock's mounted men, marched south by Peebles, Moffat, and Lockerbie. The Prince's column, the clans, Lord George Murray, and Elcho's and Pitsligo's horse, moved by way of Lauder and Kelso, where they halted while the gallant Ker of Graden scouted with horsemen towards Wooler, so as to appear to threaten an attack on Wade at Newcastle (November 5). Charles next day went to Jedburgh, and up the valley of Rule water to Larriston, of old the seat of the chief of the Elliot clan, who in times past would have rallied to his standard, with the Armstrongs, under such men as rescued Kinmont Willie. But the Border love of war for war's sake had long been dead: dead were the pricklers that followed the banner of Bothwell, broken were the moss-troopers of 1715, rusty were the swords and obsolete the spears of Scotts, Elliots, and Armstrongs, Croziers, Nixons, Irvings, and Bells. Charles and the clans marched, unwelcomed and unopposed, down the southern bank of peaceful Liddel: the horsemen rode by Hawick and Langholm. Peacefully they passed through what had been a region of warlike men. On November 9 Charles and the clans were joined by Tullibardine's column, and camped two miles west of merry Carlisle.

At Carlisle the Deputy Mayor, one Pattinson, a fussy and boastful person, refused to surrender, confiding in the town walls and in the local militia. On November 10, in a thick mist, Perth, Sullivan, with Grant and a Colonel Geoghegan, reconnoitred the Penrith gate: a battery was made, and a blockade was arranged, the Atholl men opening the trenches. In the evening Charles heard that Wade was approaching, and moved to Brampton, seven miles on the Newcastle road, where the Prince and the army hoped for a victory, which Murray rightly deemed inevitable, as the hilly ground favoured Highland tactics; but old Wade never stirred, and on November 13 Charles sent half his force back to dig and man the trenches. Spade work did not suit the genius of the fighting clans, and Lord George throughout thought that his Atholl men were regarded as inferior combatants—indeed, they were reluctant to rise. But Charles did not send the fiercer clans to take their turn with the spade, and Lord George in anger resigned his commission (November 14), though ready to serve in the trenches as a volunteer. That night Carlisle hung out the white flag, and as Lord George's resignation had been quietly accepted by the Prince, Murray and Perth were sent to arrange terms. They insisted that

the Castle as well as the town must surrender, and carried their point; but Lord George (as he wrote on November 15 to Tullibardine) was jealous, and offended by the prominence of Murray. Perth, as a Catholic, was thought apt to be unpopular with English Protestants, and Maxwell of Kirkconnell, according to his account of the campaign, hinted to him that he should resign in favour of Lord George. Perth behaved admirably, and Murray does not conceal his own respect for the soldiership of Lord George: he asked the leave of Charles "to absent himself from his councils."⁵² For the moment Lord George was pacified, but there was an end of good feeling. Here it should be remarked that Lord George had served in the Royals (1712-1715) before he joined Mar in the campaign of the latter year.⁵³ Carlisle having fallen, Wade (November 10) marched to recover it, but retired from Hexham to Newcastle on November 22: he said that snow had made the roads impassable.⁵⁴

On the 20th a council determined to leave a garrison in Carlisle and march south to raise the Jacobites of Lancashire. Desertions had been frequent, and, as far as the writer can calculate, Charles was not accompanied in his southward march by more than 4500 men, and a few ladies in carriages: among them was Mrs Murray of Broughton. The English believed—wrongly, says Bishop Forbes, who may be relied on—that Jessie Cameron also made the campaign. For some reason, based on no known evidence, the English conceived that this lady was the Prince's Egeria: her age, we know, was about fifty. If Charles received a letter of November 26, written by his brother the Duke of York, he may have expected a movement of French forces to his aid on December 20, N.S.⁵⁵ It is certain, in any case, that Ligonier, on November 16, had orders to march an army of twice the force of the Prince's into Lancashire, with 2200 horse and 30 guns. Against this Lord John Drummond landed at Montrose, with some 800 details from Irish regiments in French service, on November 22.⁵⁶ It was their arrival that, by the treaty of Tournay, put Wade's Dutch out of action.

While the Prince was reducing Carlisle, in Scotland the Judges, and other important persons who had fled from Edinburgh, returned thither (November 13); the fugitives of Prestonpans were collected under their colours; Edinburgh, Glasgow, and Stirling raised volunteers; and the leader of the Secession, the Rev. Mr Erskine, displayed at Stirling his loyalty to the Protestant reigning family. On the Prince's side, Strathallan was mustering a considerable force

from the north at Perth, but, as we shall see, they did not march south to join Charles. At this time two of Lord John Drummond's transports were captured: on board one of them was young Glengarry. He was for long confined in the Tower; while his brother, Æneas, continued to command the Glengarry regiment of Macdonnells, and, after the death of Æneas, old Glengarry sent James, his son by his second wife, a boy. In France the Duke of York was vainly urging the despatch of the army collected at Dunkirk. Without that force Charles knew that the English Jacobites would sit still, but he advanced in hopes of French assistance. Neither Jacobites nor Hanoverians had the slightest scruple about accepting foreign aid: if Charles expected the French, George employed any Dutch, Swiss, Danes, or Germans whom he could induce to support his throne. On November 21 Charles reached Penrith, and so went by Kendal and Lancaster to Preston (November 26, 27),—Preston, twice fatal to Scottish Royalists who were striving to raise the Royalists of England.

It was doubtless from the sanguine reports collected, as we have seen, by Balhaldy and Butler (1743) that Charles learned to expect, from Lancashire, the Stanleys, Barrymore, Petre, Chesterfield, Molyneux, Shuttleworth, Curzon, Fenwick, and Lister. From Cheshire he looked for Cholmondeleys, Warburtons, Grosvenors, and Leighs. The representatives of these ancient families sat still. At Preston the ill-fated Mr Townley, with two of the Vaughans, set an example of self-sacrificing loyalty, which was not followed by the rest of the Jacobite gentry. From Wales came a Mr Morgan, and probably held out hopes of a contingent under Sir Watkin Wynne, a Parliamentary Jacobite. But though the Welsh "had a great mind to be rising," like the hero of the Gaelic song, their movements were slow and undecided, and their discretion overcame their valour when Charles began his retreat.

Near Garstang the Duke of York picked up a young English gentleman volunteer, Captain Daniel, who, almost alone among the English recruits, followed the flag to Culloden. After great sufferings and many strange adventures, he escaped in the same French ship as the Duke of Perth. He has left an unpublished manuscript account, rather of curious interest than of historical value. He adored Charles, and, though a most good-humoured man, entertained absurd suspicions of Lord George Murray.

So far, Lord George had moved in advance, with the southern

Highlanders, the Atholl men, and other Perthshire levies. Maxwell of Kirkconnell tells us, and is corroborated by a contemporary English letter, that Lowlanders wore the Highland costume, "which was the uniform of the whole army." The Lowland horse, under Elcho, went in front, and probably few of the infantry wore other than the Highland garb.⁵⁷ The Prince, with Pitsligo's horse and the western clans, was in the rear. Charles, as an English letter-writer, a Macclesfield man, informs us, marched on foot always: he was a trained pedestrian. On November 27 the Duke of Cumberland arrived at Lichfield and took over the command of Ligonier, incapacitated by bad health. Meanwhile Wade reached Persbridge, moving from Newcastle, while Cumberland's force was in cantonments from Tamworth to Stafford, with his cavalry at Newcastle-under-Lyne.⁵⁸ On November 29, 30, the Prince was at Manchester, then a pretty town, where, for the first time, says Maxwell, he met a gallant welcome and "general concurrence." Several young men of good families, with substantial tradesmen and farmers, came in, and about a hundred "common men." These, with the details already picked up in England, were constituted into the Manchester Regiment, with Townley in command. Despite this measure of encouragement, Maxwell says that a retreat was already in Lord George's mind: he intended not to propose it, however, until they arrived at Derby, if no great aid was obtained at that point from the English.⁵⁹

On December 1 the Prince reached Macclesfield. As to their appearance and demeanour, we have a long letter from a Mr Stafford, a reluctant observer.⁶⁰ He says that "the Rebels" advanced to Macclesfield on hearing of a visit paid by twenty of Cumberland's dragoons, who hastily withdrew. Their officer was promising the ladies to protect them, when the news of the Prince's advance made him run from the breakfast-table to the saddle. Elcho's cavalry was poorly mounted on horses that seemed to have been picked up on the way. The Highlanders marched in very good order, their pipes playing, and the Prince halted for a moment opposite Mr Stafford's door. He wore the Highland costume, with a blue waistcoat bound with silver, and a blue bonnet. "He was a very handsome person of a man, rather tall, and exactly proportioned, and walks well." He was received in profound silence. The force was stated by a Lowland officer at 10,000, but Mr Stafford estimated it, more justly, at about 6000.

The Lowland officer, quartered on Mr Stafford, was "exceedingly civil"; indeed the army behaved very well, though women and children lay about promiscuously among the privates, in a manner which the observer reckoned untidy. Glenbucket, so forward in 1715, rode doubled up in his saddle. He was extremely old, and was said to have risen with new life from his bed when Charles arrived in Scotland. The private soldiers, "though dusty and shabby, appeared lusty active fellows," "almost all of an age," except a few veterans and a number of young boys, who were expected, it was said, to run under and dirk the horses if they met British cavalry. The Prince had but twelve small guns, English and French, and two mortars. These proved mere *impedimenta*, delaying the force on the march.

At Macclesfield, says Lord George Murray, he learned that Cumberland was advancing, and that his forces were at Lichfield, Coventry, Stafford, and Newcastle-under-Lyne. As Derby was Lord George's objective, he led a column to Congleton, on the way to Lichfield, to induce Cumberland to concentrate there: in this he succeeded, for the Duke of Kingston and his horse fell back on Newcastle-under-Lyne, and the enemy thence retreated to Lichfield. Lord George then turned off by way of Leek to Ashburn, through which the Prince passed on December 4, joining Lord George at Derby. Now, if we believe John Hay of Restalrig, in a council at Macclesfield Lord George was "one of the keenest" for the plan of making forced marches, and cutting between the Duke of Cumberland and London. Hay, who was secretary of the Prince in place of the invalided Murray of Broughton at the end of the war, may be reckoned a hostile witness where Lord George is concerned. At the same time,⁶¹ Lord George's account of his own feint in his march to Congleton proves his intention to make Cumberland concentrate at Lichfield, and what purpose could that serve, except to enable the Prince to give Cumberland the slip and march on the capital?

Lord George's story is that, at Derby on December 5 (really December 4), he learned that Cumberland would enter Stafford on that night, and Stafford "was as near to London as Derby." Wade's cavalry was advancing to Doncaster, his infantry following, and Lord George knew of the formation of that camp at Finchley, which has been made immortal by the unflattering pencil of Hogarth. The combined British forces would be 30,000 men:

the Prince, says Lord George, had not 5000.⁶² In case of a disaster there could be no retreat : the militia could at least seize the roads, while the enemy's cavalry would surround the army and capture the Prince. But "His Royal Highness had no regard to his own danger, but pressed with all the force of argument to go forward," says Lord George ; and Maxwell adds, "The army never was in better spirits than at Derby."⁶³ Maxwell makes Lord George foremost in pressing these two obvious arguments for retreat, and in pointing out that they had a strong reserve in Scotland, with Lord John Drummond's men and the force of Strathallan. As to the French, it was to Scotland, not England, that they were sending troops. If the Prince advanced and fell, the Cause was for ever ruined.

Hay says that no formal council of war was held ; that he was with Charles in the Prince's room ; that Charles was just going out when Lord George stopped him, saying that most of the chiefs were for retreat. "The whole day was passed in *brigue* and cabal, but no council of war was held."⁶⁴ Many years later, John Home managed to have definite questions in writing placed before Charles. Was Hay's story accurate? Charles denied it, saying that a full and formal council of war was held, and that "all, except himself, were of opinion that the retreat was absolutely necessary. He endeavoured to persuade some of them to join with him, but could not prevail upon one single person."⁶⁵

D'Eguilles, in his Memoirs, says that *he* saw no overwhelming danger in the advance. He, personally, was in fact safe enough, being no rebel. At the same time, the Duke of Richmond, writing to Sir Everard Fawkener from Lichfield on the fatal day of December 5, says, "If they [the Prince's army] please to cut us off from the main army, they may ; and also if they please to give us the slip, and march to London, I fear they may, before even this *avant garde* can come up with them : and if we [they?] should, His Royal Highness knows best what can be expected from such an inconsiderable corps as ours."⁶⁶

Lord George Murray, of course, did not know that Richmond's horses were worn out, that he could not send forward patrols, that the way to London was open,—“there is no pass to defend,” Richmond wrote ; that the camp at Finchley “was confined to paper plans” ;⁶⁷ and that Sir Watkin Wynne was despatching a messenger assuring the Prince that Wales was ready.⁶⁸

London, on Black Friday (December 6), was in a panic: the Jacobites of the city had promised to rise and join Sir Watkin in London, but on that day the Prince's army, to their intense disgust, were marching northwards, with cries of rage, says the Chevalier Johnstone. What might such men not have done? Their marching powers enabled them to evade Cumberland; their fighting powers, that, when they were weakened by hunger, broke his first line at Culloden, would have scattered his force to the winds if they chanced to encounter him. On this point the Prince never had a doubt, and he knew that, after he gained a victory in the Midlands, disaffection would mine the English army. But all military reasons—as Lord George could not read the minds of his opponents—were on the side of retreat, so the one chance was lost; and the last great romantic enterprise of Scottish history was broken, like the heart of its leader.

It is not without a heartache that the historian accompanies a gallant army and an undaunted leader from the gates of hope to the long march leading to Culloden Moor, to the scaffold, to exile and despair.

The charges of treachery which ignorance and ill-will brought against Lord George, a man of fiery temper and unconciliatory humour, but incapable of such guilt, are demonstrated to be false by his conduct during the retreat. No man was more obnoxious to Government than Lord George; no man, if taken, was more certain to meet the worst fate that the English law of treason could inflict. But he chose to command the rear-guard in the retreat, and exposed himself to every peril; while Charles was no longer, as Lord George says that he had been in the advance, the first man astir every morning in his camp. The Prince during the retreat rose late, and then rode to the van; while Lord George collected stragglers, strove to repress pillaging, and toiled to hurry on the heavy and useless artillery with its ammunition. He chose the Glengarry men for his rear-guard, and though “none of the most patient,” they were fired by his example of laborious patience.

By December 12 they reached Preston: they had found the Manchester mob unfriendly, *conversis rebus*, and the army itself was discontented—never reconciled, says Maxwell, to the retreat. Captain Daniel says that the country was taught to believe the Prince's army scattered and demoralised, and that savage attacks were made on stragglers. A woman and her son cut the throat

of a poor English boy asleep by the roadside, in advance of the army. As Charles refused to shoot a spy named Weir who had been captured by Lord George, and later did much mischief, so he declined to punish this modern Jael and her son. The retreating Highlanders were told that the men of Strathallan and Lord John Drummond were on the road to join them, and were in danger from Wade's army—indeed a messenger had been sent to summon Strathallan and Lord John. There was thus, thought the army, good prospect of a fight, for which they were pining. If we follow the narrative of Lord Macleod, the forces under Lord John and Strathallan and himself were considerable enough to make a junction with them,—a plan not without promise.

“Besides the Mackintoshes, Farquharsons, and my father's [Lord Cromarty's] regiment, a large body of the Macdonalds of Glengarry, of Clanranald, and of Glencoe, together with a battalion of the Camerons, and likewise Barisdale's regiment” (Macdonnells), were at Perth, while the Frasers kept dropping in, though Lovat's son, the Master, had not arrived. Then Lord John Drummond's force made a fair though disappointing show, though they “had forgotten” to bring mortars, bombs, or engineers. The whole force had Charles's orders (which reached them through Colonel MacLachlan about December 18-20) to move south and join him, which the force was eager to do, but Lord John refused to obey. Now Charles, as we learn from Maxwell, had no news at all from Scotland, as he moved north, and might expect any day to be met by an army composed of the flower of the fighting clans, with French officers. This hope accounts for, or at least palliates, his serious error in leaving a small garrison, doomed men, to keep Carlisle till his return in full strength. But the force at Perth tarried in Scotland, first because of the ineptitude of Lord John Drummond, an officer in French service who declined to imperil the men and guns of King Louis; next, because they had to oppose Lord Loudoun and Macleod of Macleod in their own neighbourhood.⁶⁹

Lord Lewis Gordon (remembered in song—

“Send us Lewie Gordon hame,
And the lad I daurna name !)

had been recruiting in the Gordon country ever since October 21. He had threatened to punish “the vile and malicious behaviour

of the Presbyterian ministers . . . as the law directs," but, though he wrote from Huntly Castle, "the Duke of Gordon sent advertisements to his people not to obey my orders." It was the old situation that baffled Montrose, when Huntly thwarted Aboyne.⁷⁰ It was Lord Lewis's purpose to meet and check Loudoun's force as they crossed the Spey, if Loudoun ventured south from Inverness. But Loudoun, on the contrary, marched to relieve Fort Augustus, which was threatened by the Master of Lovat (December 3). Loudoun captured old Lovat, and took him to Inverness, whence he escaped on December 20, and as he was now involved, his clan at length went to join the Prince. Loudoun's next move was to despatch Macleod of Macleod with Munro of Culcairn to relieve Aberdeen, held by the Laird of Stoneywood for the Jacobites. Lord Lewis, however, met and routed Macleod at Inverurie, ten miles from Aberdeen, and drove him across the Spey, on December 23.⁷¹

Other operations of the force at Perth were the securing by Lord Macleod, with the Glencoe Macdonalds and the Stewarts of Appin, of the passes from Stirling to the North; and while acting in this service Lord Macleod first learned, from Dr Archibald Cameron, a brother of Lochiel, that the Prince had retreated as far as Glasgow.⁷²

It is thus plain that the two divisions of the Prince's army were in total ignorance of each other's movements, and the hopes which Charles entertained of effecting a junction in England or on the Border with nearly half of his army were disappointed. The wildest rumours had reached the North: the Laird of Lonmay (December 16) informed the Laird of Stoneywood that Charles was within twenty miles of London, 30,000 strong (the evidence was 'The Ipswich Journal'), that the Prince had given Cumberland the slip, and that London and all England "were mad in favour of the Prince."⁷³ Meanwhile Charles, having arrived at Preston (December 12), sent the Duke of Perth north, with Captain Daniel and a hundred horse, to bring up that half of the army which was occupied at Inverary and Dunblane in the way already described. But Perth was stopped by the militia, and returned to the retreating army at Kendal.⁷⁴ At Lancaster Charles delayed, and had an idea of awaiting Wade and fighting. Lord George writes about this matter in an injured tone, as if the Prince's familiars were intriguing against him; but Ker of Graden, an ex-

cellent officer, much commended by Lord George, says that the position was found to be inadequate.

The force which Charles wished to meet was that of the dilatory Wade, who, Maxwell thinks, might cut across the Prince's route at Penrith with infantry as well as cavalry. The cavalry of Cumberland "could never hurt foot that retired in good order, and were not afraid of them," and, far from fearing, the Highlanders had learned to despise cavalry; while Cumberland could not possibly, and Wade did not attempt to, bring up infantry. Wade, in fact, sent his cavalry under General Oglethorpe (brother of Fanny and Anne Oglethorpe) after Charles,—they joined Cumberland at Preston on December 13,—and retired with his infantry to Newcastle. Captain Daniel says that as the rear marched out of the town they could hear its bells ringing to welcome the pursuers!⁷⁵ On leaving Kendal (December 17), Lord George, with the Glengarry rear-guard, was much detained by the slovenly delay of Sullivan in giving orders for the mountain march, and by the breakdown of transport and the heavy waggons, which were mere encumbrances: small carts were needed. Charles insisted on leaving no trophies, and cannon-balls had to be carried up Shap in men's hands, at the ransom of sixpence each. The whole artillery was not, in practice, worth a single coin of that denomination.

On December 18 the main army reach Penrith; but Lord George, sending the guns forward, was at Clifton, two miles short of Penrith, he says, and thence marched to Lowther House, where he expected to meet Cumberland's light horsemen. Cumberland had been delayed a day by the Duke of Newcastle, who was rendered nervous by Admiral Vernon's account of French movements, and wanted the Duke to return to London.

Near Lord Lonsdale's house, Lowther, Lord George captured Cumberland's footman, who had been sent forward to prepare his master's quarters. From him and a green-clad militia officer Lord George learned that Cumberland, with Honeywood, was about a mile behind, with 4000 horse. He sent the prisoners and Colonel Roy Stewart to Charles at Penrith; he himself would await orders at Clifton. Returning thither, he found that Perth, Cluny, Ardsheil, with Macphersons, Appin Stewarts, and 200 of Roy Stewart's command, had been sent back to him: with the Glengarry men, he had now about 1000 of the best of the army. Unknown to Lord George, his movements were being signalled to Cumberland by

Mr Thomas Savage, an ingenious Quaker, who waved his hat instead of a signalling flag! The light was not so bad but that Lord George could see the enemy on the open moor, "about a cannon-shot away" (how long was a cannon-shot?), in two lines, broken into squadrons. Lord George's position was on either side of the road, and was strengthened by enclosures and hedges. Perth rode off to Penrith with an English guide, who knew a short concealed path, intending to bring back the whole force from Penrith, to flank the enemy, and line with musketry a long lane through which they would have to pass, if they were beaten: to be sure, the Appleby road would also need to be secured. Lord George clearly thought that, with a thousand more men, and with the lane choked by fallen horses, he could annihilate Cumberland's 4000 cavalry. But Roy Stewart brought back from Penrith the news that Charles was moving north, and desired him to follow.

Perhaps a great opportunity was missed; but it must be remembered that Cumberland did not act so foolishly as to charge with cavalry a strong position held by an unknown force. On the other hand, he waited for an hour while Lord George took all means to deceive him into the belief that a large force was in position. He marched his colours to and fro, brought them back under cover and displayed them again; while he posted the Glengarry men in the enclosures on the right of the road, and Appin's and Cluny's force on the left, with Roy Stewart's close to the village. Cumberland, despite his audacity at Fontenoy, did not make the error of leading 4000 horse along a lane twenty feet broad into a death-trap, in the light of a moon in its second quarter. Mr Thomas Savage, meanwhile, kept Cumberland apprised of these tactics.⁷⁶ On the Jacobite side, Pitsligo's horse had discreditably trotted back to Penrith.

Cumberland, with due caution, dismounted about 500 dragoons, who advanced from the moor to the nearest of several ditches; and the dragoons began to "snipe," or "fire popping shots," at the Highlanders. To retreat, Lord George saw, would be ruinous, for the height of the park walls of the lane through which he must pass made it impossible for him to line them with musketeers,—had he a better chance of lining the lane of Cumberland's retreat?—and the enemy, firing in platoons, would throw his men into confusion. He therefore gave orders to charge the dismounted dragoons, who were advancing as *tirailleurs* from cover to cover. He forbade any

pursuit on the moor, and moved under fire from the front and flanking hedges. Glenbucket's targe was peppered, the bullets marked the plating of steel, and a ball passed through Lord George's hair—"indeed the bullets were going thick enough." According to Lochgarry, who was present, the enemy first attacked the Macphersons, and retired after a close fire. Next a stronger body was sent to assail both of Lord George's advanced bodies: they received the fire, and, to quote Lord George, "I immediately drew my sword and cried *Claymore!* Cluny did the same, and we ran down to the bottom ditch,"—according to Macpherson of Strathmashie,⁷⁷ swords were broken on helmets, and the point was used,—“and the rest took to their heels, but received the fire of the Glengarry regiment.”⁷⁸ A few Highlanders, pursuing against orders, were taken on the moor, but Lord George had disheartened Cumberland. There was no more attempt at attack, and after a pause of half an hour Lord George sent his men on the march, being himself the last to leave the field.

Cumberland represented himself as driving the Highlanders out of Clifton; but Lord George never intended to stay there, and while the English published flourishing accounts of the slaughter of 120 Highlanders, people on the spot knew that they had the worse of the ruffle. A Mr Wright wrote from Knutsfort (December 22): “Notwithstanding what is said, I am apt to believe the rebels will get into Scotland without much loss. . . . It may be presumed that the Duke will not care to attack the main body of the rebels,” while there was no hope, he said, of any opportune movement by Wade.

On December 19 the army, a straggling line eight miles in length, entered Carlisle without opposition. “The Duke of Cumberland's curiosity was satisfied,” says Maxwell grimly; but a very mistaken decision of Charles was to give him his revenge. At Carlisle Charles received letters of old date from Strathallan, who said that his army “was certainly better than that which the Prince had,” while Lord John declared that Louis XV. wished Charles to avoid a general engagement “till he received the succours he intended to send him, which would be such as would put his success beyond all doubt.”⁷⁹ Maxwell says that a council was held, and that it was decided to march into Scotland and join Strathallan and Lord John. Contrary to Lord George's wish, Charles left in Carlisle 400 men, a third of them of the Manchester regiment: Lord George was unable to be present when this resolve was taken, and he could not shake it.

Lord George did not reckon Carlisle tenable against artillery brought from Whitehaven: the French officers left behind declared that it was tenable, says Syddal, Townley's adjutant; and Charles expected, it seems, to relieve his garrison and recover his own guns. Cumberland, opening fire on December 28, reduced Carlisle on December 30, and took the garrison prisoners "at discretion." Townley was for resisting: it is better to die by the sword than the gibbet. The hangman played his part on many of the prisoners. Maxwell, who seldom blames, censures the Prince for leaving the garrison at Carlisle. He declares that Townley and several others "were for defending themselves to the last extremity, . . . and they were in the right." The Governor, Hamilton, insisted on the surrender to "clemency." As Captain Daniel reports an officer named Maxwell to have escaped over the wall at night, it seems probable that the historian knew the man, and that he speaks from good knowledge.

On December 20 the army waded the Esk in spate. "We were a hundred men abreast, and it was a very fine show: the water was big, and took most of the men breast-high. . . . There was nothing seen but their heads and shoulders," and the modesty of the ladies who had forded on horseback was spared, says Lord George.⁸⁰ Who were these adventurous ladies? They are mentioned in English letters of the day, but they dwell only on Jessie Cameron, who stayed at home. Cumberland returned to London on January 5, 1746, and Scotland alone was troubled by the death-struggle of the Cause.

NOTES TO CHAPTER XVIII.

¹ *The True Patriot*, 1745.

² See his letters, Browne, *Highland Clans*, ii. 471.

³ *Log of Durbé*. Cf. *Une Famille Royaliste*, p. 24. Nantes, 1904. Edited by the Duc de la Trémoille.

⁴ *Culloden Papers*, pp. 203, 204.

⁵ *Stuart Papers*.

⁶ *Blaikie, Itinerary of Prince Charles*, p. 5; *Lang, Prince Charles Edward Stuart*, pp. 99, 100.

⁷ *Murray of Broughton's Memorials*, pp. 157-162, Scottish History Society.

- ⁸ Maxwell, *Narrative of Charles, Prince of Wales's Expedition to Scotland*, Maitland Club, 1845.
- ⁹ Dates are provided with accuracy in Mr Blaikie's admirable 'Itinerary of Prince Charles,' Scottish History Society, 1897.
- ¹⁰ Murray of Broughton's Memorials, Scottish History Society, pp. 106, 107.
- ¹¹ Murray of Broughton's Memorials, Scottish History Society, p. 173.
- ¹² Culloden Papers, pp. 210-212.
- ¹³ Culloden Papers, pp. 216, 217.
- ¹⁴ Murray of Broughton's Memorials, Scottish History Society, pp. 176, 177.
- ¹⁵ Murray of Broughton's Memorials, Scottish History Society, pp. 178, 179; Molloy's Letter, privately printed.
- ¹⁶ Murray of Broughton's Memorials, Scottish History Society, p. 185.
- ¹⁷ Culloden Papers, p. 219.
- ¹⁸ Culloden Papers, pp. 217-219.
- ¹⁹ Culloden Papers, pp. 205, 206.
- ²⁰ Blaikie, *Itinerary of Prince Charles*, p. 84, note 2.
- ²¹ Murray of Broughton's Memorials, Scottish History Society, Appendix, pp. 513, 514; D'Argenson, *Mémoires*, iii. 67-69.
- ²² Culloden Papers, p. 221.
- ²³ Blaikie, *Itinerary of Prince Charles*, p. 12, note 1; Omond, *Lord Advocates of Scotland*, ii. 15.
- ²⁴ Maxwell, p. 56.
- ²⁵ Murray of Broughton's Memorials, Scottish History Society, p. 189, note.
- ²⁶ Atholl Papers. Privately printed.
- ²⁷ Carlyle, p. 114.
- ²⁸ Carlyle, pp. 112-121.
- ²⁹ Murray of Broughton's Memorials, p. 195.
- ³⁰ Carlyle, p. 132.
- ³¹ Murray of Broughton's Memorials, p. 200.
- ³² Johnstone, p. 32.
- ³³ Carlyle, p. 139; Murray of Broughton's Memorials, p. 201.
- ³⁴ Carlyle, p. 140.
- ³⁵ Johnstone, p. 37.
- ³⁶ *Trial of General Cope*, Murray, p. 203.
- ³⁷ Maxwell, p. 41.
- ³⁸ Stuart Papers.
- ³⁹ Maxwell, p. 42.
- ⁴⁰ Murray of Broughton's Memorials, p. 205.
- ⁴¹ Carlyle, pp. 148, 149.
- ⁴² *Ath. Jac. Cor.*, p. 25.
- ⁴³ *Jacobite Correspondence of the Atholl Family*, p. 200. Abbotsford Club, 1840.
- ⁴⁴ The orders are printed by Amédée Pichot, *Histoire de Charles Edouard*: cf. *Un Protégé de Bachaumont*, by M. Paul Cottin (1887), and *Mémoires of the Marquis d'Eguilles*, *Archives Littéraires de l'Europe*, i. 78-101.
- ⁴⁵ Culloden Papers, pp. 222-224.
- ⁴⁶ Culloden Papers, p. 225.
- ⁴⁷ Blaikie, *Itinerary of Prince Charles*, pp. 18-23.
- ⁴⁸ *The Text in Browne, Highland Clans*, Appendix XVI.
- ⁴⁹ Stuart MSS.
- ⁵⁰ Culloden Papers, p. 226.

- ⁵¹ Murray of Broughton's Memorials, p. 244.
- ⁵² Murray of Broughton's Memorials, p. 242, note.
- ⁵³ Information from the Duke of Atholl, published by Mr Blaikie, Itinerary of Prince Charles, p. 26, note 1.
- ⁵⁴ London Gazette ; Blaikie, Itinerary of Prince Charles, p. 27.
- ⁵⁵ Ewald, Life of Prince Charles.
- ⁵⁶ Fraser, Earls of Cromartie, ii. 384.
- ⁵⁷ Maxwell, p. 69.
- ⁵⁸ London Gazette ; Blaikie, Itinerary of Prince Charles, pp. 28, 29.
- ⁵⁹ Maxwell, p. 70.
- ⁶⁰ This and other local documents were kindly shown to me by Mr MacLehose, who publishes them in the 'Scottish Historical Review,' as edited by Mr Walter Blaikie.
- ⁶¹ Hay, in Home's History of the Rebellion, p. 337 (1802).
- ⁶² Lord George, in Robert Chambers's Jacobite Memoirs, p. 53, ff.
- ⁶³ Maxwell, pp. 73, 74.
- ⁶⁴ Home, History of the Rebellion, pp. 337, 338.
- ⁶⁵ Home, History of the Rebellion, *ut supra*.
- ⁶⁶ State Papers, Scotland, vol. lvii. R.O., quoted by Mahon, iii. 276.
- ⁶⁷ Mahon, iii. 277.
- ⁶⁸ Charles to James, Feb. 12, 1747, Stuart MSS. Mahon, iii. 277.
- ⁶⁹ Lord Macleod's Narrative, in Fraser's Earls of Cromartie, ii. 385, 386.
- ⁷⁰ Miscellany of Spalding Club, i. 401-406.
- ⁷¹ Lyon in Mourning, ii. 344 ; Earls of Cromartie, ii. 386.
- ⁷² Earls of Cromartie, ii. 377, 378.
- ⁷³ Miscellany of the Spalding Club, i. 428.
- ⁷⁴ Jacobite Memoirs, pp. 59, 60, 61 ; Lockhart Papers, ii. 495.
- ⁷⁵ MS. of Captain Daniel.
- ⁷⁶ His letter is published by the late Chancellor Fergusson, whose papers on the Highland retreat are useful.
- ⁷⁷ In 'The Lyon in Mourning.'
- ⁷⁸ Jacobite Memoirs, pp. 68-71 ; Lochgarry to Glengarry, Blaikie, Itinerary of Prince Charles, pp. 116, 117.
- ⁷⁹ Maxwell, p. 87.
- ⁸⁰ Jacobite Memoirs, pp. 74, 75.

CHAPTER XIX.

THE END OF JACOBITISM.

1745-1746.

LORD GEORGE'S much-trying column marched by Lockerbie to Moffat, where they rested, the day being Sunday, and the troops attended Episcopal services. Their devoutness was remarked on, in England, even by the most hostile observers, and at Derby, says Lord George, "many of our officers and people took the sacrament," a battle being expected. There can have been few Presbyterians in the host; and though the Macdonalds were probably Catholics as a rule, the Glencoe men and Angus and Perthshire men were chiefly Episcopalians. The Prince marched by Dumfries to Drumlanrig, Douglas Castle (burned down in 1758), and Hamilton Palace, where, on December 26, he met Lord George, who had arrived on Christmas Day. To avoid unpleasantness, the Glasgow and Paisley militia had been called to Edinburgh, with four regiments stationed at Stirling, in November. At Glasgow, Charles heard of Lord Lewis Gordon's discomfiture; at Inverurie, of Macleod, whose men's hearts were mainly with the Prince—indeed, Macleod of Raasay and others of the clan joined him in despite of their chief. Glasgow, as a Hanoverian town, was fined to the extent (including a previous forced contribution) of about £10,000, and the men were equipped at the civic expense. A review was held, and few men were found to be missing—not over fifty, according to Johnstone. Observers saw that the Prince seemed dejected, and the ladies denied that he was handsome—so blinding is political prejudice. The Prince sent a gentleman, Archibald Cameron apparently, to Perth to consult the leaders of his northern army, and at Dunblane Lord Macleod met Archibald, returning with

him to Glasgow. When Macleod reported that Seaforth was serving the Government and enlisting the Mackenzies against Charles, the Prince was much moved. Turning to d'Eguilles, he said, "*Hé ! mon Dieu, et Seaforth est aussi contre moi !*"¹

On January 3 the army left Glasgow for Stirling, to join hands with Drummond, Strathallan, and Lord Lewis Gordon. Lord Macleod with much difficulty, after exchanges of fire with English vessels of war, brought the French guns from Alloa. From January 4 to 10 Charles lay at Bannockburn House, Sir Hugh Paterson's ; and here, perhaps, he met Sir Hugh's niece, Clementina Walkinshaw,—a tall, black-eyed lady of no remarkable beauty, to judge by her portrait. Charles was suffering, as Lord George had suffered, from fatigue and exposure, and the situation may have made the charms of Miss Walkinshaw irresistible. This is the traditional story. The Prince's account-books prove that he purchased his own provisions at Bannockburn House, as everywhere else. Possibly the owner was not at home,—he does not appear in the list of rebels ; and Miss Walkinshaw may have been met elsewhere by Charles. Whether she now became his mistress or not is therefore doubly uncertain,—no contemporary record names her,—but several years later she joined him in the Low Countries, with results disastrous to herself, the Prince, and the Cause.

The northern levies now at last came in, some 4000 men, while Hawley, with ten battalions of foot, Cobham's dragoons, and a reputation for ferocity, arrived in Edinburgh. On January 8 the town of Stirling surrendered ; but General Blakeney held the Castle, against which the guns and engineering skill of Charles's officers were quite helpless. On January 13 Lord George had news of Hawley's advance, and marched his five battalions, with the horse of Elcho and Pitsligo, to Linlithgow. He found some of Hawley's dragoons, pursued them for a short way, and returned to Linlithgow, followed by the dragoons with four regiments of foot. Lord George crossed the bridge, northwards, intending to attack when half of the hostile force had passed over ; but they were too cautious to give him the opportunity, and he returned to Falkirk, and thence to Bannockburn.

Hawley was soon at Falkirk, in camp, while, four miles away, the Prince's army lay in scattered cantonments, and could not be readily concentrated. Lord George, who knew the ground well, proposed to advance "above"—that is, as Maxwell explains, on

the west side of—the Torwood, where the army could not be seen. A third column went by the high way: they crossed the Carron water, which was low, some two miles from Hawley's position, about one o'clock, while Hawley, suspecting nothing, was lunching with Lady Kilmarnock. They then deployed on the moor, and, in order of battle, faced to the left and ascended the hill which lay between them and the enemy. In the first line the Macdonalds held the right, which they claimed as their due ever since the battle of Bannockburn, and the Camerons were on the left. In the second line were, on the right, the Atholl men, who, it is to be observed (though they behaved admirably in the ensuing battle), were not very willing warriors. Lord George had written from Falkirk, on January 11, to his brother, Tullibardine, that he heard of many desertions in the Atholl ranks. "For God's sake send the men off, if it were but by dozens, as quick as you can; . . . if rewards and punishments do not do, I know not what will." On January 16 (the battle was on January 17) Lord George wrote to Tullibardine, "We are quite affronted by the scandalous desertion of your men."²

None the less Atholl was well represented in the Prince's second line. On its left were Lord Lewis Gordon's men,—perhaps 600 or 700,—with Lord Ogilvy's in the centre. In the third line were the mounted men, Elcho's, Pitsligo's, Balmerino's, and Kilmarnock's, with Lord John Drummond and his details from the French army.³ 1200 men were left at Stirling to contain Blakeney, and the Appin Stewarts, Frasers, Macphersons, and other clans filled the centre of the first line, between the Macdonalds and Camerons. This line, the first, was double the length of the other two, which were spaced out "with very large intervals between their centre and wings."⁴

As the fighting-ground consisted of convex slopes with ravines, it would and did follow that, in the second and third lines, the officers could not see how the bulk of their own lines was engaged. The hill-top was approached, while Hawley, who supposed the Prince to be holding a review at Bannockburn, was more or less taken by surprise. The appearance of the small third column—all that he could see—on the high road gave him no uneasiness. As soon as he knew the truth, that the Prince was making for the hill-top in force, he arrayed his army, with 1000 Argyll men some 9000 in all, on the plain at the foot of the hill between him and Charles. In his two lines were thirteen battalions of regulars: three regiments

of dragoons were on his left, and, to their sorrow, behind the dragoons were the militia of Glasgow and Lothian, while the Campbells were on the right of the regulars. Maxwell reckons Hawley's force at 10,000 to 12,000 men. Hawley advanced his dragoons at first in small parties till, says Maxwell, their line was half the length of the Prince's first rank. John Home, who was present as a volunteer, gives the same account. The left of the dragoons was opposite Keppoch's clan, the right was opposite the Fraser centre. Most of the English foot were standing on the slope of the hill, a few were on level ground above that slope.

The left of the Highland first line, the Camerons and Appin Stewarts, saw only infantry confronting them, while the Macdonalds saw none but cavalry. A ravine separated Hawley's right from the Frasers and Camerons of the Prince's left, and a great storm of wind and rain made the whole face of the battle but dimly visible. Neither army had been able to bring up their guns: Hawley's were stuck in a bog, and the haste of the Highlanders to seize the hill-crest caused them to leave theirs a mile behind. Between hurry, surprise, darkness, rain, and the nature of the ground, the battle became a slovenly and bedraggled scuffle: the Highland second line had no general commander, and each chief knew not what his neighbours were doing.⁵ Hawley bade Ligonier's, with the cavalry, advance, and Lord George, sword in hand and targe on arm, marched in front of Keppoch's men, regulating the line, and bidding them hold their fire till he gave the order.⁶ Within pistol-shot, each force advancing, he gave the word to fire, whereon Hamilton's and Ligonier's horse wheeled about and fled straight back, while Cobham's, wheeling to their right, crossed the Camerons' and Frasers' front, and took their fire. Lord George was aware, from the intelligence of Roy Stewart, and of Mr Anderson, who showed the path at Prestonpans, that the cavalry opposed to him had no infantry in their rear.⁷ But he could not check the Macdonalds: they pursued the dragoons, came among the miserable Glasgow volunteers, and washed their swords.

The Prince's left, having discharged their pieces at Cobham's horse, now found Hawley's infantry in their front. They had no cartridges, only powder in horns or loose in their sporrans, and they could not load again, so heavy was the rain.⁸ They received the fire of the infantry, and went in with the cold steel,⁹ but they were flanked by some battalions which wheeled into that position, and

were shaken by their fire. Meanwhile many of the second line had followed the first in their wild pursuit, and the rest fell into confusion, shunned to attack the steadier of Hawley's troops, and withdrew. Lord George avers that the Atholl men, his own, kept perfect good order, and he sent Ker of Graden to bring up the reserve and annihilate such of Hawley's troops as maintained their discipline. But the pipers had given their pipes to their gillies and taken to the sword, and this "turned to our vast loss," as there was no means of recalling the scattered men. Thus Hawley's officers had time to lead away some regiments in an orderly retreat, and a large body of dragoons on Hawley's right "made directly for the Prince, who was advancing with the pickets to sustain the Highlanders, but the countenance of the little corps checked their impetuosity," says Maxwell. It was necessary for Charles to enter and hold Falkirk, his men being thoroughly drenched, worn out, and possessing no tents, and no beds but the soaked ground. He marched in unopposed, young Gask and Strathallan's eldest son having scouted in peasant's attire, with the pickets and the Atholl men, and Hawley's camp was plundered. But the flower of the army, lost in the darkness, passed the night in the fields, and to organise a pursuit of Hawley towards Linlithgow was impossible.

The complete destruction of Hawley's force was averted by lack of discipline, and Lord George blames Sullivan, as he always does, for not bringing up men from the second and third lines to extend the first, and Charles for neglecting his own advice to a similar effect. On the other hand, Sir Thomas Sheridan,¹⁰ Macdonald of Morar, in the 'Lockhart Papers,' and Johnstone agree in saying that Charles extended his line to the left and encouraged his forces, while Maxwell's account is to the same effect. "The presence of Charles," says Home, "encouraged the Highlanders" (after the severe fire sustained on their left); "he commended their valour," rallied and led them, so that Cobham's dragoons, who were renewing their advance, turned tail, and covered the retreat. But Home is not speaking of what he saw, and he may have read Maxwell's manuscript. The stress of battle lasted only for twenty minutes, from 3.50 to 4.10 P.M.¹¹ Home severely blames Hawley for bidding some 800 dragoons charge an army on unknown ground, and quotes Mr Stuart Mackenzie, a brother of Lord Bute's, to the effect that Ligonier, on receiving the order, carried by Mackenzie himself, said that it was "the most extraordinary ever given,"—

or looked as if he thought it was.¹² Home also quotes Colonel Hepburn, who had heard Hawley say that the Highlanders "could not stand against a charge of dragoons who attacked them well." But it does not seem that the dragoons did attack with the fury of men who mean to come to the shock.

The example of the battle of Falkirk suggests that, had Charles been allowed to advance from Derby, his men could have driven Cumberland's army like chaff before the gale, as they drove Hawley's. Had Cumberland better cavalry than Ligonier's, Hamilton's, and Cobham's? or better infantry than the Royals, Wolfe's, Cholmondeley's, Pulteney's, Price's, Blakeney's, Munro's, Fleming's, Barrel's, and Howard's? The Highlanders could easily outmarch any Hanoverian force, and might have cut them off from their guns. There seem many chances that the Prince could have pulverised Cumberland's command, and advanced to meet an unformed, terrified, and disaffected force near London, while Wade was put out of action by his senile slowness and irresolution. The Prince may have reflected sadly on this aspect of his victory; but Lord George says that the best Highland officers, on the other hand, were actually discouraged by the circumstances of their new success, and thought that they stood little chance in any future fight, except by advantage of ground or by a surprise, both of which the alacrity of their men might have been trusted to secure. In spite of all that they had seen of regular troops, they sighed for their aid; but now there was absolutely no appearance of a French landing.

Hawley had left some 400 dead on the field, besides hundreds of prisoners, while Maxwell reckons the Highland losses at about forty. Wolfe's regiment lost five captains, Blackwell's four, and Sir Robert Munro, with four lieutenant-colonels, was slain. In Edinburgh the Whigs were discouraged, for many of the defeated were the men of Dettingen and Fontenoy. But in the Prince's camp there were disappointment and dispute: the quarrel of the officers from France, as against Lord George, waxed keen. Thus no advantage, beyond the capture of Hawley's artillery, useless to the Highlanders, was gained from the victory. Maxwell says that some advised to push on to Edinburgh, which looks the most obvious course; others to invade England again; but Lord George stayed at Falkirk, Charles returned to Bannockburn, and Perth continued, with weak guns and an engineer worse than useless, the siege of Stirling Castle. About the cause of this inaction Lord

George and Maxwell tell us nothing, and we ask ourselves whether Charles found his Capua in the society of Clementina Walkinshaw. There is not a hint of that affair in the evidence, and we may presume that the Prince was anxious to push his advantage. Nothing was more clear than that the Highlanders could best be kept with the colours by novel adventure and the prospect of a fight. But to advance meant the abandonment of his own guns and Hawley's, and his guns seem to have been the fetish of the Prince. Maxwell suggests that his unwillingness to part with these things, trophies rather than arms, with a flattering report by Mirabel, the foolish French engineer, kept Charles besieging Stirling Castle.

This part of the campaign is scarcely explicable, except on the score of the fatigue, ill-temper, jealousy, and quarrels that vexed the camp. Among other causes of resentment was the accidental shooting of young Æneas Macdonnell, leader of the Glengarry men, by the discharge of a musket.¹³ Though the misfortune was purely accidental, as late as 1821 it is represented as wilful, in the "Vindication" (p. 13) put forth by Sir Walter Scott's friend, the Laird of Glengarry, against the claims of Clanranald to the chiefship. The charge is intelligible among an excited soldiery; the perseverance in the charge is a strangely late survival of ill-feeling. The spirit of the injured clan in general may be gathered from a letter written to Blair of Glasclune by Robertson of Struan, uncle of Æneas Macdonnell. He speaks of "the murder committed on my nephew. His enemies are too plain to doubt of the authors of the murder. . . . The gentleman's growing worth made him envied by Beggars and hated by Traytors." Unless the Clanranalds are aimed at, as Æneas was shot accidentally by one of that clan, on whom is the fiery Celt reflecting?¹⁴

Lochgarry, in a report of the whole enterprise to young Glengarry (dated by Mr Blaikie, who published it, about 1747), makes no accusation against the unlucky man who fired the shot. "The melancholy and misfortunate accident of your brother's death happened, who was adored and regretted by H.R.H. and the whole army. His death really dispirited the whole Highlanders very much. *During this time there was a general desertion in the whole army.*"¹⁵ The man who fired the musket was of Clanranald's contingent: his death was demanded, and the two chief portions of Clan Donald were thus set at variance.

Meanwhile Cumberland was hurrying north, and Hawley, at

Edinburgh, was reinforced. Charles was determined to encounter Cumberland, but was met by the report of the chiefs that the army was depleted by desertions, and that retreat was necessary. This was the final blow to the chances of the Cause, and the circumstances are not easily intelligible, except on the theory that internal discords had broken, for the time, the spirit of the Prince's chief supporters. As we shall see, there are facts which suggest that the amount of the desertions was greatly exaggerated. Maxwell is a thoroughly honourable and candid witness, who wrote as soon as possible after the failure of the enterprise. He is, as his editor says, "exempt from many prejudices and short-sightednesses to which his party were liable. He generally takes rational views of the means at the command of the Prince in the various stages of his extraordinary career."¹⁶ Maxwell, then, avers that, on January 26, Charles reviewed his whole army, and that no more than 500 were missing. This was eight days after the shooting of Æneas Macdonnell; but Maxwell intimates that desertions continued after the review of January 26. On January 28 Charles sent Murray of Broughton to Lord George at Falkirk, announcing that he would attack Cumberland there, where Lord George was to remain. "Lord George seemed to approve of everything, drew up a new plan of battle with some improvements upon the former, and sent it next day [January 29] to the Prince for his approbation." Charles was extremely pleased, but "that very night he received a representation, signed at Falkirk by Lord George Murray and all the commanders of clans, begging his Royal Highness would consent to retreat, on account of the great desertion [of 2000 men] that had happened since the battle."¹⁷

Had 1500 men deserted between January 26 and the day, January 29, when Lord George, anxious to fight in the morning, sent in a surly memorial in the afternoon? This is barely conceivable, yet the memorial is dated on Friday, January 29.¹⁸ The chiefs say that "*it is but just now* we are apprised of the numbers of our own people that are gone home," or are invalided. Four Macdonalds sign, with Ardsheil, the Master of Lovat, Lochiel, and Lord George. How could officers so experienced have remained in ignorance, and then been enlightened within two or three hours? Maxwell declares that at Crieff, after a disorderly flight, the army was but 1000 under its strength.¹⁹ He believes that the Highlanders, in fact, had been sauntering about the villages near Falkirk,

had not deserted or thought of deserting, and came in to their colours as the army hurried northwards. If all this be true, the army is free from serious blame ; but the chiefs can scarcely escape the charge of lax observation and the burden of an unwise and fatal decision, loyal and courageous as they undeniably proved themselves. Lord Mahon, whose account of the affair of 1745 is among the best, seems to have overlooked the evidence of Maxwell of Kirkconnell. He says that the chiefs, mortified by Charles's loss of confidence in them since Derby, and determined to assert their own authority, "sent in the memorial advising retreat. . . . Lord George Murray was no doubt the secret mover of the whole design." ²⁰

If this view were correct, Charles's distrust of Lord George could not be called inexcusable. The retreat was the worst possible step, and we would rather attribute it, with Maxwell, to want of intelligence as to the whereabouts of the missing clansmen than to jealous intrigue. Three weeks earlier (January 6), when Charles was at Bannockburn, Lord George had sent in a memorial demanding that operations should be conducted by a committee of five or seven, chosen by a council of some seventeen,—a method which, in war, has seldom prospered. Councils would have saved a day at Lancaster, would not have left a garrison at Carlisle, and did save the army from "a catastrophe" by retreating from Derby. The "catastrophe" would probably have occurred to the army of Cumberland, we may conjecture.

The Prince replied that he was vested with all the authority the king could give him, and was now to be limited, without even a casting vote, to hearing debates. He was told that his army were volunteers ; from them he expected more zeal, more discipline, and more courtesy than from mercenaries. "It can be no army at all where there is no general." He alone, as a price was set on his head, could not "threaten at every word to throw down his sword." He took advice every day ; above all, he took Lord George's advice. His authority "might be wrested from him by violence ; he would never resign it like an idiot." ²¹ We have seen that Hay's account of what occurred at Derby is refuted by that of Charles. As to Lord George's new proposal to retreat, Hay says that Charles received it while dressing in the morning after the night when he received and rejoiced in Lord George's plan of battle. Charles dashed his head against the wall : "his words were, 'Good God, have I lived

to see this day !' " and he exclaimed violently against Lord George. But in public Charles kept his temper. In a letter, sent through Sheridan, the Prince argued temperately that retreat encouraged the enemy and discouraged his army ; implied a constant series of similar withdrawals ; made it certain that neither France nor Spain would move to his assistance ; and compelled the Lowlanders to seek the hills or be captured. Nevertheless, "having told you my thoughts, I am too sensible of what you have already ventured and done for me not to yield to your unanimous resolution if you persist." ²²

Thus on January 30, a fatal day, Charles submitted to Lord George, and the Macdonald, Fraser, and Appin Stewart commanders. On these gentlemen, not on him, lies the merit or demerit of a plan which gave Cumberland's army what they lacked—confidence, and months wherein to practise new tactics fitted to resist the Highland onset ; a plan which withdrew the army from a region of plenty to a land notoriously destitute of supplies. The scheme enabled Cumberland to use sea power, to bring up his supplies with expedition, and to waylay what French succours might be sent in food and money. At Falkirk Charles's men were in good heart, Cumberland's were fresh from defeat ; Charles's force had enough to eat ; in case of the worst they could as readily escape, as some of them had deserted, to safe places in the hills. Sheridan carried Charles's letter to the chiefs at Falkirk, and brought back Keppoch, with others, to debate the point at Bannockburn. It is probable that the meeting was stormy.

When it was ended Charles wrote again to the chiefs who had not been present. He says that Cluny and Keppoch will have complained to them of his "despotic temper." He will "explain himself more fully,"—" *I can see nothing but ruin and destruction to us in case we should think of a retreat.*" It is plain that Cluny and the rest had only spoken of retiring nearer to the Forth, for the Prince says that the next proposal will be to *cross* the Forth : so far, then, this had not been decided upon. Forth will be crossed, Stirling will fall ; it will be impossible to remove the guns. They are running away from an enemy whom they had just defeated. Charles now knows that he has lost command of the army. "I take God to witness . . . that I wash my hands of the fatal consequences which I foresee but cannot help." ²³ No prophet ever foresaw more clearly the results of a course on which military critics have alone a right to be heard. But if Maxwell's evidence is

correct,—if the chiefs desired to withdraw only on account of desertions which they very greatly overestimated, while an hour before their decision Lord George had been in high heart and ready to fight,—Charles proved himself what Macdonald of Morar calls him, “the best officer in his army.” The whole situation is bewildering. If the obedience of the men to their chiefs was so exemplary, why did the men desert? If they did desert, why was Charles left without information, while Lord George approved of, and improved upon, his plan for battle? If the men, in fact, had not deserted, what must be said of the chiefs who supposed that they had gone off to their mountains?

The retreat began on February 1, and was disorderly and mischievous. Cumberland’s men burned down Linlithgow, that ancient royal palace. Charles’s Highlanders managed in some way to blow up St Ninian’s Church. If we believe Maxwell, a Life Guardsman, the army was to be reviewed between Bannockburn and Stirling, and the Prince went to the place, hoping to find that the amount of desertion had been exaggerated. “There was hardly the appearance of an army.” The men, having heard of the designed retreat, thought the danger greater and nearer than it was, and hurried to the Fords of Frew; even the troops quartered in Stirling took the alarm, and rushed off before the hour determined. Guns were spiked and abandoned: it was a rout where no enemy pursued.²⁴ Lord George insists on the discreditable rout, and attributes it to Sullivan, who did not give the orders with which he was charged, but “sent very different ones.” Here Ker of Graden corroborates, probably on Lord George’s authority.

In short, Lord George says that “they” at Bannockburn—and “they” must include Charles—altered the order after he himself withdrew, and bade the army march by daybreak. “I shall say no more of this,—a particular account of it is wrote. I believe the like of it was never heard of.”²⁵ The “particular account,” in a privately printed work by the present Duke of Atholl, adds little to our information, but we have the version of Maxwell, which bears probability on its face. The news of the retreat was sure to spread among “the common men”: undisciplined as they were, they were apt to hurry away. The Prince, so tenacious of his artillery, and so reluctant to retreat, is not likely to have given orders for a stampede at dawn. Maxwell says that Lord George, who knew nothing of the early flight, might have been taken in his quarters

by a sally from the Castle. Can Lord George have fancied that the stampede was deliberately arranged on purpose that he might be taken, and so put out of the way? On the next day there was a council of war at Crieff. Lord George "complained much of the flight, and entreated we should know who advised it. The Prince did not incline to lay the blame on anybody, but said he took it on himself."²⁶ If this be true, and if Maxwell's tale be true, Charles behaved well, putting a stop in an urbane manner to a wrangle. If Charles meant that he, through Sullivan, ordered the flight, we are at a loss for his motive. In a letter of February 4 to Tullibardine, who was invalided, Lord George attributes the precipitancy of the flight to "some fatal mistake."²⁷

The truth is that the leaders of the army were in the worst of tempers: we know from Captain Daniel's MS. that there was for long a coldness between Lord George and Lord Balmerino, who commanded part of the Prince's Guards, while Balmerino himself was at a loss to account for the irritation of Lord George. D'Eguilles writes that the Prince communicated to him his distrust of Lord George, which d'Eguilles owns that he shared. The suspicion grew, and possessed the minds of the few English adventurers, such as Captain Daniel of Balmerino's mounted Guards; yet there is not to be discovered a single fact which is not to the credit of Lord George's honour and loyalty. The dissensions all contributed to the end which Charles predicted when the chiefs insisted on retreat. Lord George, writing to Tullibardine (February 5), regrets that "we did not make a stand at Crieff, for I scarce think the enemy would have attempted anything this winter had we done so."²⁸ Now the Prince, when retreat was first proposed, asked, "Can we hope to defend ourselves at Perth, or keep our men together there better than we do here?" Too late Lord George seems to have seen the force of this reasoning, and regretted that they did not make a stand at Crieff. In fact, the Prince, with the clans, marched north by the Highland way, while Lord George, with Lord John Drummond, took the coast road, making first for Perth, with many of the mounted men. Spanish arms and stores had landed at Peterhead,—“a vast many of them,”—and were being brought south by the exertions of Lord Pitsligo.²⁹

While Lord George was advancing on Aberdeen, the Prince moved to Blair Castle, in Atholl: Glenbucket took the fortalice of Ruthven, in Badenoch, defended by the Irish sergeant at the

beginning of the expedition, and, on February 16, Charles went to Moy, the seat of the Mackintosh chief, a Hanoverian with an energetically Jacobite wife. The Prince was in advance of his forces, and Lord Loudoun, who, with Macleod, was commanding at Inverness for King George, heard of Charles's arrival, and planned his capture by a night surprise. The dowager Lady Mackintosh, at Inverness, saw the preparations being made, and sent a boy, Lachlan Mackintosh, to go in advance of Loudoun's column and give warning at Moy. Cutting across country, the lad reached Moy at about five o'clock in the morning. Lady Mackintosh was roused, the Prince decamped to the side of the loch, and the hostile column never arrived at Moy. Lady Mackintosh had four or five scouts out, among them her blacksmith. They uttered cries to the Macdonalds to come up, as if the clans were present in force, and the blacksmith, Fraser, firing from cover, shot Macleod's hereditary piper, MacRimmon. On this the other Macleods, whose hearts were not in their work, fled back to Loudoun's main column, and so alarmed them that they hastily retreated to Inverness. This affair was called the Rout of Moy: following the Rout of Inverurie, and preceding the retreat of the Macleod chief, with Forbes of Culloden, to Skye, it did not add laurels to his chaplet.³⁰

At the time of the rout Cumberland was ordering a Hessian force of some 5000 men to Perth and Stirling, and two regiments of horse to Bannockburn. He had to provide against the chance that the Prince would turn and slip past him to the south, which was the strategy recommended to Charles by d'Eguilles. It might have ended in a second Worcester; but anything was better than lingering in a country so destitute of supplies as the north. As for the Hessians, they were substitutes for the neutralised Dutch. They landed at Leith on February 8: the foolish retreat from Stirling had thus enabled Cumberland to add them to his forces. These Hessians had been in French service, were captured by the Austrians in April 1745, and were purchased by King George in July of the same year. Versatile as they were, they objected to serve in a war where prisoners were treated as they were by Cumberland, and where British officers captured by Charles broke their parole at Cumberland's command.³¹

After making these dispositions, Cumberland went to Perth. From Moy, when his troops had come up, Charles advanced to Inverness, where the castle surrendered on February 20.

Loudoun had decamped, and was later pursued into Sutherland. He had no chance of going south and joining hands with Cumberland, for Lord George had cantoned his main force between Aberdeen and the north coast towns, by dint of marches rendered arduous by tempests of snow. At Culloden House, on February 19, he met the Prince, who was under the roof of the fugitive President Forbes. Lord George wished to make requisition of 5000 bolls of meal in the northern Lowlands, and send it into the hills to support the army if they drew Cumberland into the mountains, but Charles preferred to have the supplies deposited at Inverness. By this time Cumberland was approaching Aberdeen, which he entered on February 27; while Lord George went into Ross-shire to disperse Loudoun's army,—a service in which he found Lord Cromarty inactive and destitute of intelligence. Lord George quartered the flower of the fighting clans within a day's march of Inverness and of Tain, and returned to Inverness.³²

Charles had three things in view,—to disperse Loudoun, to retain hold of the coast between Inverness and Aberdeen, and to reduce Fort William and Fort Augustus on the west.³³ The last step was necessary, because only by the west coast had he a chance of obtaining money, which was now very scarce, and other aid from France. The money arrived, after Culloden, too late. Early in March his general, Stapleton, took Fort Augustus: the imbecile French engineer who failed at Stirling was discarded, and Mr Grant, in French service, directed the operations, in which the Highlanders showed great courage.³⁴ At this time the Prince was very ill at Elgin, and Murray was also invalided: he never saw the Prince again till many years after all hope was over. Hay took his place, and, on all hands, is accused of incompetent management of supplies, in which his worst enemies admit that Murray excelled.³⁵

Fort William was not to be taken like Fort Augustus. It was much stronger, with a good wall, ditch, counterscarp, bastions, and ravelin, while Lochiel's men, who eagerly attempted the attack, had only 6-pounder guns. Nevertheless Grant might have succeeded, by aid of a hill to the south-east which commanded the place, but he was hurt by a cannon-ball, and the foolish Mirabel, sent from Inverness, failed as usual.³⁶ Succours from France were on their way, but only three troops of horse (FitzJames's) and a picket of Berwick's regiment succeeded in landing. Cumberland, mean-

while, tarried at Aberdeen, while Loudoun kept evading the Highlanders by crossing and recrossing the Dornoch Firth, as he had command of boats. At the same time, between Aberdeen and the north there were movements of Cumberland, who nearly surprised 500 of Charles's men at Strathbogie. However, Balmerino's mounted guards behaved well as a rear-guard, and checked Cumberland's horse at the crossing of the Deveron. The force retired on Keith and Fochabers, and a Major Glasgoe, by an ingenious stratagem, a feigned retreat and a night march, surprised a party of Campbell's and thirty of Kingston's horse at Keith. Scarce any escaped, after a brisk resistance, in which two of Cumberland's officers fell. The rest were taken prisoners.³⁷ Maxwell appears to have been present, and highly commends the conduct of the Highlanders when surprised at Strathbogie, and in the retreat and attack. They remained in good heart with the colours, when threatened by a vastly superior force—eight battalions, two regiments of dragoons, and four guns. The Highland leader was Colonel Roy Stewart, whose coolness gave courage to his men (March 17).

On the same day Lord George, with his Atholl troops and Cluny Macpherson, marched thirty miles south to surprise Argyll Highlanders guarding posts in Atholl. He had 700 men, and so well disposed them that he took thirty small posts, two parties of regulars, and secured the Pass of Killiecrankie against an advance of the Hessians. Macpherson of Strathmashie avers that in the spoils he found an order of Cumberland's forbidding quarter to be given. Cluny kept the original, and Strathmashie took a copy. The success was due in great part to Cluny's skill in stopping the passes through Badenoch, so that the Hanoverians in Atholl expected nothing less than an attack by Lord George.³⁸ The prisoners, 300, were mainly Argyll men and details of Loudoun's regiment. In daylight Lord George undertook "a work I was by no means fond of"—firing his family's castle of Blair with red-hot bullets. He found his cannon bad, and was more inclined to reduce his brother's castle by a blockade. In this fruitless effort he persevered for a fortnight, skirmishing with dragoons and hussars at Pitlochry, and attempting to negotiate a cartel for prisoners on both sides with the Prince of Hesse, from whom he received no reply. The Hessians now advanced to within two miles of Pitlochry.

Lord George desired to hold the Pass of Killiecrankie, but urgent despatches bade him return to Inverness; and on April 2 he began to retire to the Spey, while Cluny and his clan remained to hold the passes of Badenoch.³⁹ Lord George had thus been most actively engaged, having only "four hours' honest sleep in seventy," and it is almost inconceivable that he should have been suspected of disloyalty. But the rancours of Falkirk, and things which those who distrusted him always declined to commit to writing, were not forgotten. A beaten cause takes refuge in the cry, *Nous somme trahis!* and Lord George was made the scapegoat,—for example, Captain Daniel hints at unworthy suspicions, though himself an honest and good-humoured man. During Lord George's Atholl raid, Lord Loudoun's force—a constant source of danger and irritation—was driven out of the north at last. All the fishing-boats on the coast of Moray were brought to Findhorn, and the Laird of Stoneywood, who had been so energetic an aid of Lord Lewis Gordon, took a force in a dark night across the Moray Firth and, favoured by fog, arrived at Tain to join the Duke of Perth. His courtesy induced him to lose time in a parley with an officer of Loudoun's, and that leader, with Forbes of Culloden, Macleod, and most of their men, scattered before Perth came upon them, the chief men making their escape to Skye.⁴⁰

At this point Maxwell not unjustly observes that the success of these operations, conducted by a force of 8000 men, on many different lines and over a vast extent of country, constitute "the finest part of the Prince's expedition, and best deserve the attention of judicious readers." At Fort Augustus, Fort William, at Blair, in the Strathbogie country, and in Ross-shire and Sutherland, the Prince's officers were operating, as a rule with success, while he, "as it were in the centre, thence directed all operations." How far the "direction" was that of Sullivan and d'Eguilles, how far of Lord George, it would be hard to say. But the inveterate good-nature of Charles, displayed again and again in his pardoning of dangerous spies like Weir, and of murderers of his stragglers, did him no service when he refused to burn down Blair Castle in his northern retreat. The castle had been the very heart of Montrose's campaign: perhaps Charles spared it in the interests of Tullibardine and Lord George. But both of these gentlemen were, as Tullibardine wrote (March 26), ready to sacrifice their ancestral home and the portraits of their forefathers "to the country's safety and

the Royal Cause.”⁴¹ It appears that even Tullibardine had shared the dissatisfaction with Lord George: he says that as his brother “has been *lately behaving according to dutiful sentiments*, nobody is more satisfied than I am of your indefatigable activity for public service” (March 30, from Inverness).⁴² There had been a difference between the brothers, probably arising from the coldness between Lord George and the Prince, after the retreat.

No courage and activity could stave off the day of ruin. The money of Charles was exhausted; the men were paid in oatmeal; and £12,000 in Spanish gold, conveyed in the *Hazard* sloop, were seized by Lord Reay’s Mackays, when the sloop was forced by four English cruisers to run ashore at Tongue (March 25).⁴³ Many men now went to their homes, where they could obtain food, though, as Maxwell says, they were bent on rejoining when their services were needed. Some were too late,—one of many causes which reduced the Prince’s army at Culloden. It was also unfortunate that Lord Cromarty, Lord Macleod, Barisdale, and other leaders, were sent north to recover the £12,000 from Lord Reay, and raise men and supplies in Caithness and Sutherland. Fifteen hundred good men went in this expedition, Cromarty was captured at Dunrobin House, and Barisdale, with many stout Macdonalds, did not return in time for the last battle.

There was now certain news that the French meant to send no reinforcements; but the Prince, says Maxwell, put a gay face on ruin, and gave several balls at Inverness, dancing himself, though he had not done so at Edinburgh. He still meant to march on Aberdeen and meet Cumberland, who, driving back the Duke of Perth and Lord John Drummond, crossed Spey unopposed on April 12, reached Nairn on the 14th, and rested his men there on his birthday, April 15. On April 14 Charles concentrated such forces as he had at Culloden, where Lord George “did not like the ground,”—a flat moor, unsuited to Highland tactics. He preferred the other side of the Nairn, as hilly and marshy, but the Prince did not wish to leave open Inverness, with the remainder of his poor supplies.⁴⁴ According to a narrative in ‘The Lyon in Mourning,’ the ranks were very thin, as was natural, for the retreat from Stirling had not brought in more men than Charles had at Falkirk, when they were thought to be too few. Now, says Ker of Graden, with other eye-witnesses, they had but a biscuit apiece.⁴⁵ In the afternoon a council determined to surprise Cumberland’s camp, though

the men were scattering in all directions to look for food. Of this there was plenty at Inverness, says Maxwell, but Hay mismanaged the commissariat. According to Maxwell, Lord George proposed the surprise : he certainly approved of it, as he says, but was less confident when he found the men so few in numbers.⁴⁶

The Prince, however, was eager ; and they started, Lord George in the van. As to what occurred, accounts are contradictory and confused. Lord George says that after a six miles' march over a very bad road, he decided that they would be too late for an attack in the dark. By Hay's account, Charles rode up, while Lord George was deciding to retreat, and declared that he was betrayed. In 1759 Charles informed James that Clanranald was actually in touch with Cumberland's outposts, and thought the attack feasible.⁴⁷ But Clanranald must have been far in advance of the van, as the van was far in advance of the rear. In old age Charles, in answer to an inquiry from Home, said that he rode up "to the front," and was convinced by Lord George that retreat was necessary. But Lord George, writing to Hamilton of Bangour in May 1749, says that Charles was a mile behind, and could not join him and the officers in the van, so dark was the night, save by riding through the dense line in a narrow way. Lord George's evidence is three years after the event ; that of Charles was written in his old age.⁴⁸ Certain it is that Lord George and all the leaders present ordered the retreat without Charles's knowledge ; but Charles may have ridden "to the front" when the van marched back, and *then* been convinced, as he says he was, by Lord George's arguments. Charles may have spoken hastily in Hay's hearing, when Hay brought the first news of the retreat. But his sentiments must have been changed at once, for Ker of Graden sought out the Prince after the defeat of the following day, who "inquired anxiously for Lord George, and desired Colonel Ker to find him out and take particular care of him."⁴⁹

Lord George was much and most unjustly blamed by the non-military Jacobites, but it is certain that he only did his duty in this affair. Yet Captain Daniel, who was in the rear with Charles in the dark, was by no means convinced of his good faith. He is more trustworthy when he says that he himself could have led the army by a much shorter way, and Maxwell speaks of the route taken as the result of "infatuation." Doubtless the purpose was to avoid some houses, whence a messenger might have been sent to Cum-

berland, but it would not have been difficult to seize the people in these cottages. The surprise had no effect except to exhaust the hungry men who made it. The leaders met, all equally sullen, says Maxwell, at Culloden House, where a little bread and whisky was served out to them. Ker of Graden scouted, and he, like a lieutenant of the Camerons who was left behind when the force returned, reported the advance of Cumberland. Sullivan arrayed the army on the moor, but Lochgarry reports that Lord George insisted in placing his Atholl regiment on the right, contrary to the request of Lochgarry, Scothouse, and Keppoch, who led the Macdonalds. Lord George says nothing about this perverse disposition of the line, for the claim of the Macdonalds was traditional, and, if the Atholl men had any claim, it must have been in virtue of the Stewart clan in the region. Maxwell, the most fair and clear-headed of all the contemporary writers who were present, corroborates Lochgarry.⁶⁰ Lochgarry says that he heard Charles say that he "resented it much," and indeed Lord George appears to have made here his one serious error, unless we reckon among errors the retreat from Falkirk. The hungry Macdonalds were angry Macdonalds, and we shall show reason to suppose that they did not advance with their usual *élan*, though we find no contemporary evidence for the surly refusal of which they were later accused. Lord George avers he told Sullivan that the position chosen was unsuitable, and that it was better to occupy the hilly ground reconnoitred by Ker of Graden on the previous day. But to do this left the road to Inverness open, and Cumberland could easily have contained the Highlanders, and sent cavalry to destroy the stores at Inverness. This is obvious, and Lord George himself saw that the ground was chosen to prevent the occupation of Inverness. The Prince, without supplies, could not march into the naked hills and wage a guerilla campaign.

As to the battlefield, it seems now hard to speak with certainty about details. A new road, not on the same line as the old, has been made through Drummoissie moor; new plantations have arisen on the Highland right, old enclosure walls have been destroyed, marshes have been drained. It is a point given by Lord George that the Highland right was within 300 paces of the water of Nairn,⁶¹ while here they were flanked by an enclosure wall which the Campbell auxiliaries pulled down during the action. The Well of the Dead and marshy ground, under a slight but steep

elevation of the soil, traditionally mark the place, on Cumberland's left, where the fighting was fiercest. Cumberland himself, in his despatch to the Duke of Newcastle (Inverness, April 18), says that, after reconnoitring, he found the rebels "posted behind some old walls and huts *in a line with Culloden House.*"⁵² He does not say whether the line was at right angles to or parallel to the front of the house; but if the Highland right were, as Lord George says, within 300 yards of the Nairn water, Cumberland must mean at right angles.⁵³

As to the fight itself, while a general effect can easily be sketched, many details remain obscure. Cumberland had 8811 men, of whom 6411 were regular infantry, with about 1000 Argyll Highlanders and Loudoun's regiment, and Bland's, Cobham's, and Lord Mark Ker's horse. He had also eighteen guns, which were well served. His men were well fed,—on the previous day they had enjoyed a feast; and they had been specially drilled in a method of giving the bayonet so as to deceive the parry of the Highland target. General Bland had also trained his men in bayonet exercise against broadsword. (Major Hamilton, in General Simcoe's 'Observations on Home,' p. 22 (1802).) Their drill was perfect, and they had the strongest confidence in the commander, whom they affectionately styled "Billy." The Highlanders had not more than 5000 men engaged, according to their Muster-master, Patullo; and the men were starved and fatigued by the long night-march, while there was discontent and clan jealousy as to the position on the right wing. Here Lord George led his Atholl men, to the anger of the Macdonalds. Lord George, in one version, describes the fight in very few words, merely saying that the Highland left, led by himself, "broke in upon some regiments in the enemy's left"; that these broken regiments received instant support; that while their fire was reinforced by discharges of grape, his horse appeared to be wounded, so he dismounted, and brought up two regiments of his second line. These gave their fire, "but nothing could be done; all was lost."⁵⁴

Maxwell gives the composition of the two lines: the first had the Atholl men on the right, the Camerons, Appin Stewarts, John Roy Stewart, Frasers (all of them had not arrived), Mackintoshes, Farquharsons, Macleans, Macleods, Chisholms, Clanranald, Keppoch, Glengarry's men, and the Duke of Perth.⁵⁵ In the second line were the few horse, Glenbucket, French Royal Scots (a few), Lord Lewis Gordon, French picquets, and FitzJames's few French horse.

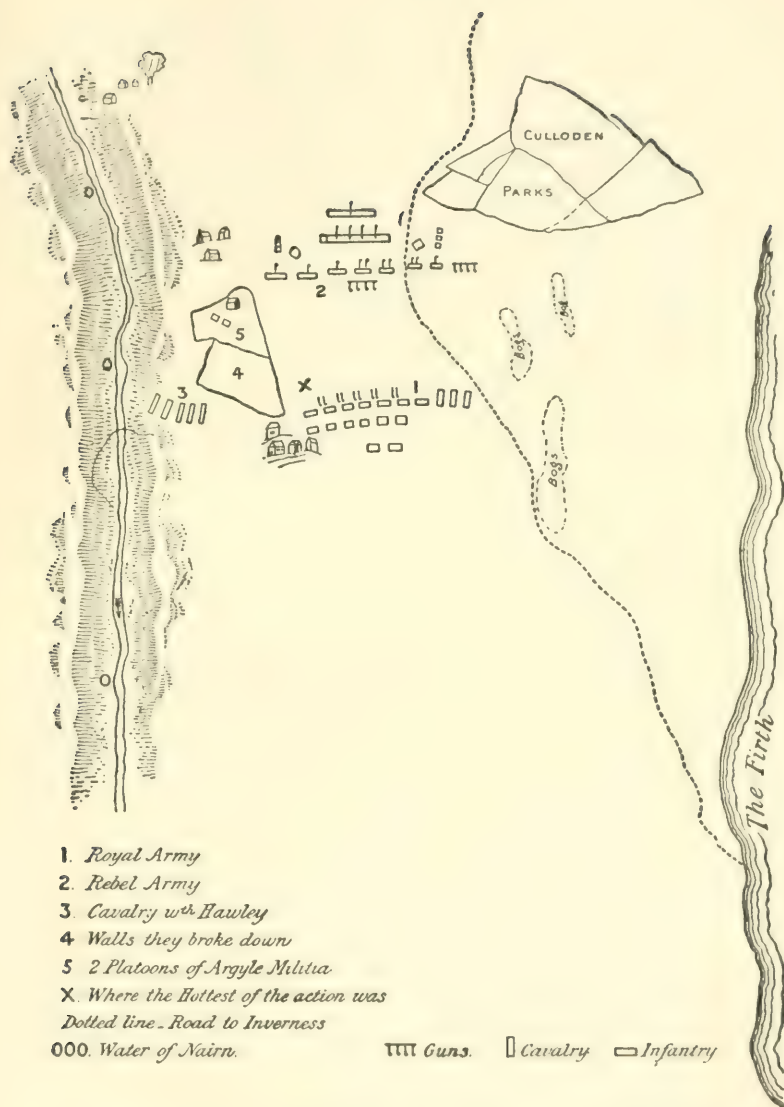
Lord Ogilvy's men were a thin reserve. The Prince was in the centre.

Cumberland says that forty of Kingston's horse and the Argyll men found the Highland left "making a motion towards us on our left," when he formed his ranks. A body of his horse, with the Campbells, then moved under a hollow on the Highland left, and pulled down the walls during an interval of artillery preparation, in which the Prince's guns did little or no damage, while those of Cumberland caused much loss. By breaking the walls the horse could outflank the Highland right and threaten the second line and rear. Lord George, says Maxwell, perceiving the flanking movement, sent Avuchie's battalion to stop it too late. Lord George then sent the few Guards and FitzJames's horse to his own extreme right to oppose the dragoons, and both parties halted, separated by a deep hollow.⁵⁶

The Campbells lost a few men at this time, and now the Prince bade Lord George advance. He delayed, for what reason Maxwell knew not,—an aide-de-camp was shot in carrying an order, it is said,—and then the Highlanders cried to be led on. "The order was no sooner given on the right than obeyed."⁵⁷ The Prince had expected Cumberland to attack, as a tempest of wind and of snow was blowing on the backs of his men and the faces of the clans, so Ker of Graden reports. The storm may have caused confusion, but Ker says that Lord George sent him to the Prince to ask leave to charge, and Ker's is the best possible evidence. The Prince despatched Ker with the order, which he communicated first to the Highland left, the Macdonalds, telling the Duke of Perth, who commanded there, to begin the attack. Ker did this because the Highland right was more advanced, nearer the enemy than the Macdonalds, and, to make the assault simultaneous, the left must begin. To protect his own right, Cumberland says that he sent Kingston's horse, a squadron of Cobham's, and Pulteney's regiment to support it. "The whole [Highland] first line came down to attack at once," and Cumberland, on his own right, saw the Highland left (the Macdonalds) come down "three several times within a hundred yards of our men, firing their pistols and brandishing their swords, but the Royals and Pulteney's hardly took their firelocks from their shoulders, so that after these faint attempts they moved off, and the little squadrons on our right were sent to pursue them."⁵⁸

ERRATUM.

P. 510, ll. 4 to 6; p. 524, l. 17; p. 525, l. 13.—In these passages, for “the Highland left” *read* “the Highland right.”



COLONEL YORKE'S SKETCH OF CULLODEN. Reduced by half.
 Add. MSS., British Museum, 35,354, f. 222.

(Drawn April 18, 1746.)

Colonel Joseph Yorke, writing to Lord Hardwicke (April 18), gives the same account as Cumberland. The Highland charge "broke from the centre [the Mackintoshes] in three large bodies like wedges. . . . In the meantime that wedge which was designed to fall on our Right, after making three feints as if they were coming down on us, in order to draw our fire, seeing that our Right kept shouldered with the greatest coolness, and that three squadrons were moving towards their flank, followed the example of their right wing and fled for it."⁵⁹ Lord George Murray corroborates: "The left wing did not attack the enemy, at least they did not go in sword in hand, imagining they would be outflanked by a regiment of foot and some horse which the enemy brought up at that time."⁶⁰ No allowance is made for the fiery grape against the Highland left.

This account by Yorke and Cumberland, who were on the spot, and as between Jacobite clan and clan had no prejudice, decides the question as to the conduct of the Macdonalds. They attacked at once, but, being outflanked, and under a heavy fire of grape (see Appendix, "The Death of Keppoch"), they did not come to the shock. The narrative of Colonel Whitefoord (who stood alone by Cope's guns, and fired them at Prestonpans) corroborates the versions of Cumberland, Yorke, and Lord George Murray. "Their right column, and the left of our line, shocked at one corner of the park of Colwhineach. Nothing could be more desperate than their attack, or more properly received. Those in front were spitted with the bayonets; those in flank were torn in pieces by the musketry *and grape shot*: their left column made several attacks on our right, but as the battalions there never fired a shot, they [the Highland left] thought proper not to come too near, and in about a quarter of an hour . . . the whole first line gave way, and we followed slowly." * Whitefoord's account of the heavy flank fire against the Highland right corroborates the recollections of Major Hamilton, who was "the right-hand man of Barrel's, next to De Jean's grenadiers." Hamilton, in answer to questions, avers that Wolfe's regiment, like Maitland's during the charge of the French Guard at Waterloo, moved up, *en potence*, on the flank of the Highland right, and enfiladed them. This movement occurred during the fierce hand-to-hand struggle between the Camerons and Stewarts, and Barrel's regiment. "I have never doubted that the battle of

* The Whitefoord Papers, p. 78: 1898.

Culloden was terminated by Wolfe's regiment marching from the second line and pouring its fire on the enemy along the front of the first. . . . It marched, probably, by order of some general officer, who, *seeing the contest was becoming personal*, and unequal numbers, sent that relief to the front. . . .” * The men under Lochiel, Lord George, and Macgillavray “bore their opponents from their ranks, intermixing with them everywhere.” Thus fought the brave clans, and the no less brave British; verily “the contest was become personal.” Stewarts and Camerons, “with the Lowland wind and rain” and smoke in their faces (as a Badenoch poet sings), rushed blindly into the smoke. The flank fire stopped the Atholl men, while Barrel's, Munro's, and Stewarts, Camerons, Macleans, and Mackintoshes “fought, without intermission, hand to hand, bayonet against broadsword,” the advancing Highlanders being “torn to pieces by musketry and grape,” says Whitefoord. Not before had the Prince's men endured artillery-fire: at Falkirk the British had no guns; at Prestonpans Whitefoord discharged only six shots. But, at Culloden, the Highlanders charged through volleys of grape. We may quote the rhyming bellman, Dougal Graham: many an historian is less impartial and less accurate. He says, of Cumberland—

“*Grape them! Grape them!*” did he cry;
When bags of balls men fired at once.
Where they did spread, hard was the chance:
It hewed them down, aye, score by score,
As grass does fall before the mower.”

The Highland attack, says Hamilton, “was feeble and distant everywhere else,” except where the centre and right converged against the British left. Dougal Graham says, speaking of the Macdonalds—

“The dreadful guns on them did blatter.” †

The descriptive letter by Lochgarry to young Glengarry appears, by his silence, to corroborate Cumberland. The Macleans, says Lochgarry, were stationed near the Macdonald regiments, and he highly praises the desperate courage of the Maclean charge. Of 200 men, not more than fifty Macleans survived. Of the behaviour of the Macdonalds, posted so near in the line to the Macleans,

* Observations on Mr Home's Account, pp. 20, 21.

† D. Graham, ‘An Impartial History,’ eighth edition, pp. 87, 88: Glasgow, 1808.

Lochgarry does not say a word.⁶¹ It is conceivable that the centre of the Highlanders charged before they got the order, and that the left, with more ground to cover, saw their mishap, and took warning by it. Ker tells us that "he rode along the line [after giving the command to charge on the left] to the right, where Lord George was, who attacked at the head of the Atholl men with all the bravery imaginable, as did indeed the whole line."⁶² But Cumberland and Yorke and Lord George make it clear that the Highland left did not attack in their wonted way, fearing a flank attack, and discouraged by the fall of Keppoch, his brother Donald, and Scothouse.

Scott (1830) is responsible for the story that "the gallant Keppoch in vain charged alone with a few of his near relations, while his clan . . . remained stationary." Exclaiming, "Have the children of my tribe forsaken me!" he fell under several shots, . . . leaving him only time to advise his favourite nephew to shift for himself." Eyewitnesses gave quite a different account:⁶³ Keppoch was not "forsaken." On this point see Appendix, "The Death of Keppoch."

Meanwhile, as has been said, the Stewarts of Appin, Mackintoshes, Camerons, Frasers, and Macleans fought as they ever fought. Plied with guns in front and in flank, and by a front and flanking fire of musketry, blinded by smoke and snow, they broke Barrel's regiment, they swept over the foremost guns, and then, enfiladed by Wolfe's, they died on the bayonets of the second line, which "behaved with great steadiness." Lord George's men, being nearest to the wall held by the Campbells, suffered much, and never came to the shock. A Mr Robert Nairn left them, when they halted, and joined Lochiel's Camerons in the attack on Barrel's. He told Home, four years later, that "he saw only two of Barrel's men standing." One of these poked his bayonet into Mr Nairn's eye, and he lay all night on the field.⁶⁴ "The rebels who came round the left of Barrel's in the pell-mell broke through the line," says Yorke.

In this onfall, says tradition, Macgillavray died near the Well of the Dead, a gun-shot beyond the guns. Here, says Cumberland, "they threw stones for at least a minute or two before their total rout began." They had probably thrown down their muskets, and the broadsword could not break the bayonets of the second line. Like Lord George, Maxwell says that the second Highland line came up "in good order" to sustain the first, but "the day was

irrecoverably lost,—nothing could stop the Highlanders after they began to run.”⁶⁵ The second line was exposed to the cavalry which had outflanked the right wing by way of the broken walls, but, according to Maxwell, “it saved abundance of men’s lives” by its resistance. Ogilvy’s, too, retired in order, facing the dragoons. But the rout was complete, the French, who stood longest, retreating to Inverness, where they surrendered, and most of the army breaking away across the Water of Nairn to the hills of the west. “Major Bland,” says Cumberland, “made great slaughter, and gave quarter to none” but the French “in the pursuit.”⁶⁶

To the question of “No Quarter” we return ; but while the battle raged, where was the Prince? During the first artillery-fire he was under it : he was at his post when he gave his order to Ker. It is stated on all hands that a groom was shot dead behind him, and that the fire, at this time, was mainly directed at the small body of horse. We may quote a spectator who was with the Prince, Sir Robert Strange, the famous engraver, who designed the plate for the paper-money of the army in its last days. He describes the battle thus : ⁶⁷—

“The enemy formed at a considerable distance, and marched on in order of battle, outlining us both on the right and on the left. About one o’clock the cannonading began, and the Duke’s artillery, being well served, could not fail of doing execution. One of the Prince’s grooms, who led a sumpter-horse, was killed upon the spot ; some of the guards were wounded, as were several of the horse. One Austin, a very worthy, pleasant fellow, stood on my left ; he rode a fine mare, which he was accustomed to call his lady. He perceived her give a sudden shrink, and, on looking around him, called out, ‘Alas ! I have lost my lady !’ One of her hind legs was shot, and hanging by the skin. He that instant dismounted, and, endeavouring to push her out of the ranks, she came to the ground. He took his gun and pistols out of the holsters, stepped forward, joined the foot, but was never more heard of. The Prince, observing this disagreeable position, and without answering any end whatever, ordered us down to a covered way, which was a little towards our right, and where we were less annoyed with the Duke’s cannon : he himself, with his aides-de-camp, rode along the line towards the right, animating the soldiers. The guards had scarce been a minute or two in this position when the small arms began from the Duke’s army, and kept up a constant

fire : that instant, as it were, one of the aides-de-camp returned, and desired us to join the Prince. We met him in endeavouring to rally the soldiers, who, annoyed with the enemy's fire, were beginning to quit the field. The right of our army, commanded by Lord George Murray, had made a furious attack, cut their way through Barrel's and Monro's regiments, and had taken possession of two pieces of cannon ; but a reinforcement of Wolfe's regiment, &c., coming up from the Duke's second line, our right wing was obliged to give way, being at the same time flanked with some pieces of artillery, which did great execution. Towards the left the attack had been less vigorous than on the right, and of course had made but little impression on the Duke's army ; nor was it indeed general, for the centre, which had been much galled by the enemy's artillery, almost instantly quitted the field.

“ The scene of confusion was now great ; nor can the imagination figure it. The men in general were betaking themselves precipitately to flight ; nor was there any possibility of their being rallied. Horror and dismay were painted in every countenance. It now became time to provide for the Prince's safety : his person had been abundantly exposed. He was got off the field, and very narrowly escaped falling in with a body of horse which, having been detached from the Duke's left, were advancing with an incredible rapidity, picking up the stragglers, and, as they gave no quarter, were levelling them with the ground. The greater numbers of the army were already out of danger, the flight having been so precipitate. We got upon a rising ground, where we turned round and made a general halt. The scene was, indeed, tremendous. Never was so total a rout—a more thorough discomfiture of an army. The adjacent country was in a manner covered with its ruins. The whole was over in about twenty-five minutes. The Duke's artillery kept still playing, though not a soul upon the field. His army was kept together, all but the horse. The great pursuit was upon the road towards Inverness. Of towards six thousand men, which the Prince's army at this period consisted of, about one thousand were asleep in Culloden parks, who knew nothing of the action till awaked by the noise of the cannon. These in general endeavoured to save themselves by taking the road towards Inverness ; and most of them fell a sacrifice to the victors, for this road was in general strewed with dead bodies. The Prince at this moment had his cheeks bedewed with tears ; what must not his feeling heart have suffered ! ”

It is certain that Charles did thus withdraw, with his guards, to shelter, for Captain Daniel, who was with him at the moment, mentions the fact. The captain was sent back, with a captured English flag which he carried, to the Prince's position, lest the departure of the flag might suggest retreat. On arriving at this position he soon found that all hope was lost. Strange vouches for the Prince's attempt to rally fugitives. Charles himself, in an autograph document, says that he was "led off the field by those about him," probably Sullivan, Sheridan, and others, and that he "changed his horse, his own having been wounded by a musket-ball in the shoulder."⁶⁸ Stewart, a servant of Charles, told Bishop Forbes that no such matter occurred. Home quotes a signed document by a cornet of Horse Guards, who avers that Charles resisted the entreaties of Sheridan and others, but that Sullivan "laid hold of the bridle of his horse and turned it about. To witness this I summon mine own eyes."⁶⁹ Yorke says that Charles made no effort to rally his men, but admits that he did not leave the field till "after being witness to the flight of the Lowlanders and French who composed his second line."

So far the Prince seems to have behaved like Montrose at Philiphaugh, like Claverhouse at Drumclog, like Cumberland on a number of occasions. A defeated general cannot restore victory by his own sword. Highland victories had not been gained by tenacity in resistance, but by energy in attack. When leaders like Lochiel and Keppoch were down, when the regimental officers were dead or wounded, when the rain of bullets was falling on the rear, when cavalry was menacing the flanks, neither Charles nor any man could make the shattered clans turn again. Thus it is not for yielding to superior force that the Prince is to be blamed, but for separating himself from the main body of his forces and from his general. Maxwell of Kirkconnell was a member of the Prince's Life Guards, who accompanied him, says Maxwell, to secure his retreat, "which was made without any danger, for the enemy advanced very leisurely over the ground." The little squadron rode "pointing towards Fort Augustus," and, after crossing the Nairn at the ford of Failie, Charles went aside with Sheridan, Sullivan, Hay, and a few others. In their consultation it seems probable that the Irishmen must have plied the Prince with the old doubts of Lord George, though a few minutes before he had expressed to Ker his anxiety for the welfare of his general.

They may have persuaded the Prince that he, with the great reward on his head, would, by one traitor or another, be made the scape-goat of the enterprise, and handed over to the English. In any case Charles sent the younger Sheridan back to his guards, who led them half a mile on the road to Ruthven (whither Lord George and such Lowlanders and others as held together were marching), and "let them know it was the Prince's pleasure they should shift for themselves." Maxwell remarks that "there was hardly anything else to be done," as, owing to a dearth in the Highlands, "it would have been impossible for a considerable body of men to subsist together." For this reason the Prince meant to make for France, where he thought that his personal presence would procure a favourable decision.⁷⁰

Elcho, according to his own account, lingered when the guard had left, was told by Charles that he meant to return to France, gave the Prince his mind in the plainest terms, and "left him fully determined never to have anything more to do with him." By nine o'clock that night Charles was at Lovat's house of Gortaleg. At that hour his aide-de-camp, Alexander Macleod, wrote to Cluny that the Prince would next day review the Frasers, Camerons, Stewarts, Clanranald, and Keppoch's men at Fort Augustus. Thither Lord George was to lead his own force. Lord George replied to Cluny that this was "a state of politics I do not comprehend," and that people from Fort Augustus reported that Charles had gone thence into Clanranald's country.⁷¹ No rendezvous had been fixed on in case of defeat. This is clear, for we have the General Orders written at Culloden in Lord George's own hand for April 14, 15. All are to remain with their corps, night and day, "untile the Batle and persute be finally over." Not a word is said as to what is to be done in case of disaster. In two copies which the Duke of Atholl possesses, the passage "*and to give no quarter to the Elector's troops on no account whatsoever*" does not occur. It was published after the action in the newspapers; it was unknown to Balmerino and Kilmarnock; but it was made the occasion, or excuse, for the cruelties of Cumberland, who, we know, had long before issued *his* "No Quarter" order, seen and copied by Macpherson of Strathmashie.⁷²

There was thus no fixed rendezvous in case of defeat. But it is plain that Lord George Murray took Macleod's letter of the evening of Culloden to be a subterfuge. He left Charles no place

for returning. On the day after Culloden, at Ruthven in Badenoch, he wrote a scolding letter to Charles. "It was highly wrong to set up the Royal standard without having positive assurance from Louis XV. that he would assist you with all his force." In that case it was "highly wrong" of Lord George to burn the Atholl tenants out of house and home to fight for an enterprise that was "highly wrong." Lord George then denounced Sullivan, as we have seen, in the matter of the walls at Culloden, and generally. He attacked Hay's mismanagement of supplies, and sent in his resignation. He said nothing about the numbers, condition, or prospects of his force.⁷³ If Charles received this letter, he certainly could not return to Lord George. While Lord George's partisans say that it was Charles who insisted on fighting at Culloden, Charles, according to his companion in his wanderings, Neil MacEachain, father of Marshal Macdonald, declared that he used all his rhetoric and eloquence against fighting, "yet my Lord George out-reasoned him till at last he yielded, for fear to raise a dissension in the army."⁷⁴

Captain Daniel, who was in the Guards at Culloden, gives the same account in his MS.

The clear result of these confusions was Charles's most unwarrantable flight in a boat from Borradaile on April 26. From that moment began those perils and wanderings in which he won the affection of the Highlanders. Had he tarried on the mainland with Lochiel, Sheridan, Hay, Murray of Broughton, and others, he might have escaped with the French ships which landed some 40,000 louis at Borradaile on May 3. In these ships did Elcho, Lord George Drummond, Sheridan, Hay, Captain Daniel, and others take their passage. There was an epidemic on board, and the brave and good Duke of Perth died at sea.⁷⁵

Thanks to the devotion of Highlanders in every rank, and of many clans, Charles, after infinite perils, sailed for France on September 20, 1746. His adventures only increased the loyalty of Lochiel, Lochgarry, Cluny, and many others who had ruined themselves for him. No torture, inflicted by beating with belts, was more effectual than was the reward of £30,000 in extracting information from the poorest people who knew his movements.⁷⁶ While Flora Macdonald won an immortal fame by her self-sacrificing goodness, it may be said that of all whom the Prince trusted not one failed him in these straits. It is not, fortunately, our task to

trace the later unhappy fortunes of "a man undone," and the sorrows which his conduct heaped on the patient head of the good King James.⁷⁷

In all wars the vanquished have tales to tell of the "atrocities" committed by the victors. The patient researches of Bishop Forbes, who was scrupulous about obtaining evidence at first hand, do prove beyond doubt the exercise of great cruelties,—slaughter of the wounded and of prisoners, and the starving of prisoners in noisome dungeons like "the bridge hole" at Inverness. On the day after the battle, Cumberland issued an order to a captain and fifty men to search the cottages for the wounded. "The officer and men will take notice that the publick orders of the rebels yesterday were to give us no quarter."⁷⁸ We have seen that there is no evidence for the "publick orders" of the rebels. If there had been, they would not excuse the shooting and burning of wounded men, who had given no orders, in cold blood. The Duke of Atholl possesses an order of Cumberland of February 20, 1746, bidding Campbell of Knockduie give no quarter to the enemy.⁷⁹ Cumberland thus undeniably earned the name of the Butcher, and we see the value of his pretext for his "No Quarter" orders. There was a reign of fantastic and fiendish brutality: one provost of the town was violently kicked for a mild remonstrance about the destruction of the Episcopalian meeting-house; another was condemned to clean out dirty stables. Men and women were whipped and tortured on slight suspicion, or to extract information. Cumberland frankly professed his contempt and hatred of the people among whom he found himself, but he savagely punished robberies committed by private soldiers for their own profit. "Mild measures will not do," he wrote to Newcastle, and, when leaving the North in July, said, "All the good we have done is but a little blood-letting, which has only weakened the madness but not at all cured it, and I tremble to fear that this vile spot may still be the ruin of this island, and of our family."⁸⁰

The truth is that the spirit of the clans was not quenched by one defeat, or by fire and hunger. The hills were full of knots of men holding together in arms, though an attempt by the wounded Lochiel to collect the fighting clans in May was frustrated, the friends of Lochgarry and Barisdale respectively misdoubting the loyalty of these chieftains. There seems no reason to distrust Lochgarry, who held out in his fastnesses, and drew the last blood

of the campaign from armed parties sent to drive his cattle and destroy his lands.

To ruin and starve the Jacobite clans was the deliberate policy, executed with fire and sword by some 2500 Argyll Highlanders, and men of Sir Alexander Macdonald and of Macleod. Regulars were sent on the same duty, and it is said in a contemporary tract that in some regions the very shell-fish on the shores were ploughed up. Cumberland wished to extirpate the opponents at whose possible revenge he trembled, but the measures taken produced other results than he desired. In October and November two spies of Albemarle's, Highlanders, made a journey through the country of the Jacobite clans and sent in a report. They found the Macleans well armed, anxious to join a French invasion in spring, and both in Mull and Morven was great plenty of French gold and Spanish money. Some of this may have come from one cask stolen from those which were landed at Borradaile. Cluny had the nominal custody of the other casks, and used part of the money to keep up the spirits of the clans, some of whose tacksmen later quarrelled, and in certain cases were demoralised over the division of the spoils.⁸¹ On the coast the crews of ships of war and the Campbells burned fifteen "towns"—that is, little settlements round such houses as Ardtornish, Drimmin, and Killounden. In Moidart and Strontian many men had surrendered, and their cattle were spared; meal was scarce, but there was plenty of French brandy, which kept up a desire to rise again. In Appin the houses of Ardsheil and Ballachulish had been burned by the much-detested Captain Carolina Scott, but there were cattle and meal in abundance. Six "towns" were burned. The Glencoe people surrendered, and saved their cattle and houses. All Keppoch's lands were burned, and all of Lochiel's except the house of his staid brother, Fassifern. Lochiel's men were still ready to fight, as were Glengarry's. Lochgarry later reported to Charles that not a thousand men were lost in the Rising. The Jacobite leaders were at home, and kept their men in pay. In Skye the officers of the Government's Independent Companies, having been neglected, were ready to join in a rising. All the Grants of Glenmoriston, having had their cattle driven and their houses burned, were eager to fight, as were the Macphersons, for the same reasons. The Atholl men were peaceful, and abounded in complaints against Lord George Murray for "forcing them out."⁸²

Thus Cumberland's policy had exasperated, not subdued, the fighting clans, who, in the event of the French invasion, for which they hoped, would have been as dangerous as ever, and less well-conducted. The executions in England, from Carlisle to London, did not appal them. It is superfluous to tell how Kilmarnock, Balmerino, Townley, Lovat, and many others died: on Lovat the guilt was fixed by Murray of Broughton, who determined to buy his life with eternal shame as soon as he was captured, and who, while he lived, was shunned as a leper, his own wife flying from him. It needed some ten years, the degeneration of the Prince, the treachery of some of his intimates,⁸³ and the long inaction of France, to pacify the clans. Alone and unaided they could not "do it again," and France was never able or willing to aid them. The death of the brave and good Lochiel, a man praised by Cumberland's successor, Albemarle, and by the common verdict of both parties, was also a sore discouragement. He prayed to be allowed to return from France "and perish with the people I have undone," but he was not heard, and death released him from his sorrows. In Lochiel we find the ideal of all the virtues of his race, without one known blemish; while Forbes of Culloden, the glory of the opposite faction, courageous, clement, honourable, unsparing of toil and of money, died unrewarded, nay, unrepaid, accused by Cumberland of "the Highland madness."

The Rising led to three acts of legislation of minor importance. A disarming Act prevented those broils in which, as Homer says, "iron of himself draweth a man to him," but would have been ineffective in case of a French invasion. Men did not, as before, wear arms in civil life, but they knew where to find what they wanted if war arose. The Highland dress was proscribed under heavy penalties,—a cruelly severe law against people who had no other, though with time they came to find Lowland costume sufficiently convenient. But the great and effective measure—expected after 1715, but delayed—was the abolition of hereditary claims of feudal superiors to military service, and the substitution of "sheriff deputies" advocates for the old hereditary jurisdictions. As against the arguments of the Scottish Judges, Lord Hardwicke, in 1747, supported this change in a speech not easily to be answered. The alteration would have been equally desirable, he said, if there had been no rebellion.⁸⁴ Compensation was paid to the holders of hereditary jurisdictions. Argyll received £21,000;

the Duchess of Gordon £25. Buccleuch had but £3400 to Morton's £7240 and Eglintoun's £7800. J. & I. Smith, clerks of the Registrar of Aberbrothrock, end "an auld sang" to the tune of £13, 6s. 8d.! The whole sum was £152,237, 15s. 4d., while claims had been put in for £583,090, 16s. 8d. J. & I. Smith had asked for £300.

The scheme of forfeiture of estates was not on the system of selling them, as after 1715, but of giving them to the Crown, whose agents in some cases evicted Jacobite tenants and were encouraged to select Protestants. In course of time the descendants of the old owners were restored, and it is not to the Rising that such chiefs as became landless men owed their impoverishment. Within thirty years from 1745 the economic conditions of Highland estates altered, values were many times multiplied, and the old tribal relations of the patriarch and his children having ceased to exist, some clans migrated, happily for themselves, to America; others waited to be evicted and see their places filled by sheep, grouse, and deer.

It must be for another hand to tell the story of these processes, and of the very gradual harmonising of Scotland with England. We have pursued the history of the country to the point where, contrary to the will of the vast pacific majority, the last attempt is made "to break the Union," and restore Scotland to her old estate as an independent kingdom. For three centuries discerning men had seen that nature designed the inhabitants of the isle of Britain to be citizens of a single state,—a consummation long delayed, and for the last time opposed in arms by the clans under Prince Charles.

NOTES TO CHAPTER XIX.

¹ Earls of Cromartie, ii. 388.

² Jacobite Correspondence of the Atholl Family, pp. 136-142.

³ Maxwell, pp. 99, 100.

⁴ Maxwell, p. 100.

⁵ Jacobite Memoirs, p. 84.

⁶ Home, p. 171.

⁷ Home, p. 171.

⁸ Maxwell, p. 102.

⁹ Jacobite Memoirs, p. 85, and Maxwell.

- ¹⁰ Ewald.
- ¹¹ Home, p. 174.
- ¹² Home, p. 176, note.
- ¹³ Lockhart Papers, ii. 503.
- ¹⁴ Atholl, Jacobite Correspondence, p. 165.
- ¹⁵ Blaikie, p. 119.
- ¹⁶ Maxwell, vol. vii.
- ¹⁷ Maxwell, vol. iii.
- ¹⁸ Home, p. 352, ff.
- ¹⁹ Maxwell, p. 115.
- ²⁰ Mahon, iii. 293.
- ²¹ Blaikie, pp. 73-75; MSS. of the Duke of Atholl.
- ²² Home, p. 355; Blaikie, pp. 76, 77.
- ²³ Blaikie, p. 78.
- ²⁴ Maxwell, p. 114.
- ²⁵ Jacobite Memoirs, p. 100.
- ²⁶ Jacobite Memoirs, p. 100.
- ²⁷ Atholl, Jacobite Correspondence, p. 188.
- ²⁸ Atholl, Jacobite Correspondence, p. 186.
- ²⁹ Jacobite Memoirs, p. 100.
- ³⁰ The Lyon in Mourning, ii. 134-137.
- ³¹ Blaikie, p. 88.
- ³² Jacobite Memoirs, pp. 104-106.
- ³³ Maxwell, p. 118.
- ³⁴ Maxwell, pp. 119, 120.
- ³⁵ Lord George in 'The Lyon in Mourning,' i. 260.
- ³⁶ Maxwell, p. 120.
- ³⁷ Maxwell, pp. 125-127.
- ³⁸ Macpherson of Strathmashie, 'The Lyon in Mourning,' ii. 91, 92.
- ³⁹ Jacobite Memoirs, pp. 106-111.
- ⁴⁰ Maxwell, p. 130.
- ⁴¹ Atholl, Jacobite Correspondence, p. 215.
- ⁴² Atholl, Jacobite Correspondence, p. 218.
- ⁴³ Maxwell, p. 134.
- ⁴⁴ Jacobite Memoirs, p. 121.
- ⁴⁵ The Lyon in Mourning, i. 256, 360.
- ⁴⁶ Maxwell, p. 144; Atholl, Jacobite Correspondence, p. 122.
- ⁴⁷ Stuart MSS., Windsor Castle.
- ⁴⁸ Home, pp. 366-372.
- ⁴⁹ The Lyon in Mourning, i. 364.
- ⁵⁰ Maxwell, p. 149.
- ⁵¹ Jacobite Memoirs, p. 123.
- ⁵² Historical Manuscripts Commission, Tenth Report, p. 442.
- ⁵³ In 'The Inverness Courier,' 1904, Mr Murray Rose argued from old plans, and after a visit to the moor, that the battle took place on a site not accepted by Mr Alexander Fraser, President of the Inverness Scientific Society and Field Club. He said that the famous enclosure wall on the Highland right was placed by Mr Murray much nearer the river Nairn than anybody else conceived was possible. But Lord George says that the Nairn was only 300 yards away. Whiteford's hasty sketch, which we give, corroborates Lord George; while a letter by Captain Duncan Campbell to Lord Glenorchy (April 26) asserts that the

high wall reached the water of Nairn, which is corroborated by Ker of Graden, who reconnoitred the position before the battle. It is impossible for a writer who has only once visited the scene, like myself, to argue against local historians, except in so far as Lord George and Captain Campbell appear to favour Mr Murray Rose's view. But Whitefoord's map is certainly, in some points, inaccurate, while Captain Campbell makes the extraordinary mistake of placing the field "about a mile south" of Inverness. In Mr Murray Rose's own map the extreme right of the Highlanders is as far from the water of Nairn as the full length of the lines of both parties, which seems impossible: surely the battle lines were over 300 yards in length. But Mr Murray Rose remarks that he has not preserved a scale of distances. In these circumstances, so vague and so discordant, minute accuracy cannot be attained. In the chart illustrative of Sir Alexander Tulloch's 'Culloden' (Inverness, 1902), the Nairn water is not indicated, while authorities are not cited for the various statements made.

Meanwhile the author is indebted to Mr Barron of Inverness for a lucid statement. Colonel Yorke's map is wrong in not extending the long wall on the same line as the Highland left down to the river Nairn. The houses marked within Yorke's enclosures (1) are the farmhouse of Culchunaig; (2) the more distant house is that of the farm of Baluraid. The bogs on the Highland right are still incompletely drained: they are those of the Feabuie, or Stable hollow. Traces of the old road to Inverness (not the present road), marked on Yorke's chart, are extant. The distance from the Well of the Dead (traditionally the scene of the fiercest fighting) to the river is 1230 yards: the graves are still farther from the river Nairn. Culchunaig was about 950 yards from the river, and nearer the river than any part of the Prince's army. According to tradition, the Prince retired to Baluraid before he left the field; and that he did retire to a sheltered spot is vouched for by Captain Daniel, as he was the mark of Cumberland's artillery.

⁵⁴ Jacobite Memoirs, p. 124.

⁵⁵ Maxwell, p. 148. Finlayson's map. Blaikie, p. 97.

⁵⁶ The question of Lord George's generalship is complicated by the problem of these walls. In an angry letter written to Charles from Ruthven on April 17, the day after the battle, Lord George says that Sullivan did not visit the ground where the army was drawn up, "and it was a fatal error yesterday to allow the enemy these walls upon their left, which made it impossible for us to break them; and they with their front fire, and flanking us when we went upon the attack, destroyed us without any possibility of our breaking them. . . ." (Blaikie, p. 79.)

On the other hand, the Rev. John Cameron, Presbyterian chaplain at Fort William, was with Lochiel at the battle. He "heard Lord George formerly say that 'the park' [*i.e.*, the enclosure walls of the park] would be of great service to prevent our being flanked." But, says Mr Cameron, when Lord George heard that the Atholl and Cameron officers "were afraid to be flanked, he sent *Colonel Sullivan*, John Roy Stewart, and Ker of Graden to view it [the wall] down to the water of Nairn. At their return, they said it was impossible for any horse to come by that way." The men and Perth, who came to examine the place, proposed to line the park wall. But Lord George, thinking it otherwise, ordered Lord Ogilvy's regiment to cover the flank, and told there was no danger. . . ." ('Lyon in Mourning,' i. 86, 87.)

Now Ker of Graden corroborates: "After having reconnoitred the inclosure, which ran down to the water of Nairn on the right, so that no body of men could pass without throwing down the wall; . . . to guard further against any attempts

that might be made on that side, there were two battalions placed facing outwards, which covered the right of the two lines. . . ." These two battalions did not fire one shot at the Campbells and dragoons who broke the walls. ('Lyon in Mourning,' i. 361-363.)

The evidence of Ker and the Rev. John Cameron makes it plain that, if leaving the walls intact was "a fatal error," it was the error of Lord George, not of Sullivan. Meanwhile Yorke's rough sketch of the field, as we saw, does not represent any wall as coming down to the water of Nairn. He gives on the front of the Highland left two walled enclosures of irregular form. As far as his chart shows, the cavalry could have ridden round them and fallen on the Highland flank. If he is right, Ker is wrong. By Yorke's showing, the walls were broken down by the Campbells, who fired from behind the wall of the second enclosure on the Highland left as they charged. (Yorke's letter to his father: Add. MSS. 35,354, f. 224.) This is confirmed by a letter (April 26) from Captain Duncan Campbell to Lord Glenorchy. He, indeed, makes the first "high wall" extend to the water of Nairn, corroborating Ker. They pull down a space admitting a squadron abreast, and then break their way into another enclosure and enfilade the Highland left from behind its wall. The Campbells beat the second Highland line before the first Highland line is broken. (Add. MSS. 35,451, f. 36.)

⁵⁷ Maxwell, pp. 151, 152.

⁵⁸ Historical Manuscripts Commission, x. 443.

⁵⁹ Add. MSS. 35,354, ff. 218 *et seqq.*

⁶⁰ Lockhart Papers, p. 531.

⁶¹ Blaikie, p. 121.

⁶² Ker, *ut supra*.

⁶³ See Appendix, "The Death of Keppoch."

⁶⁴ Home, Addendum to Appendix.

⁶⁵ Maxwell, p. 154.

⁶⁶ Historical Manuscripts Commission, *ut supra*.

⁶⁷ Dennistoun, Memoirs of Sir Robert Strange, i. 62, ff.

⁶⁸ Stuart Papers, MS.

⁶⁹ Home, p. 240, note 1.

⁷⁰ Maxwell, pp. 157-159.

⁷¹ Atholl Correspondence, pp. 220, 221.

⁷² Athenæum, March 11, 1899. Mr W. Roberts, who here quotes the two MS. orders by Lord George Murray, seems to aver that the "No Quarter" clause does not occur in a copy sold among the Hardwicke MSS. The Hardwicke MS. "is identical, saving a few differences of spelling, with those in the Duke's possession." The "No Quarter" clause, then, must be a malicious forgery.

⁷³ Blaikie, pp. 79, 80.

⁷⁴ Neil MacEachain, New Monthly Magazine, 1840; Blaikie, pp. 80 and 98-102.

⁷⁵ Murray of Broughton, p. 273.

⁷⁶ Albemarle Papers, i. 92, for the torture inflicted by orders of Lieut.-Col. John Campbell.

⁷⁷ Nothing would please me better than to be able to say that my identification of young Glengarry with Pickle the Spy (1752-1760) has been disproved. But no valid attempt at defence has to my knowledge been offered. The authors of 'Clan Donald' (ii. 482 : 1900) argue that, while Pickle (Feb. 19, 1760) offered to Newcastle to raise a regiment, "such an offer by him [Glengarry] was extremely improbable," so bad was Glengarry's health. They overlook the fact that, in 1898, I published ('Companions of Pickle,' p. 252) the offer of Glengarry to raise

a regiment. Thus he did what it is "extremely improbable" that he should do. He made his offer in a letter to the Duke of Atholl on April 5, 1760 (cf. the Duke of Atholl's 'Chronicles of the Atholl and Tullibardine Families,' iii. 476, 477. Privately printed). On this occasion Glengarry wrote in his own name. When Pickle, on February 19, 1760, made *his* offer to Newcastle, he spoke of himself as "Pickle," but requested an answer to be directed to "Alexander Mackdonell of Glengarry." ('Pickle the Spy,' p. 314. Add. MSS., British Museum, 32,902.) Thus it seems that Pickle got no answer, or no satisfactory answer, from Newcastle addressed to Glengarry; so two months later Glengarry wrote to the Duke of Atholl, making the same proposal as Pickle had made to the Duke of Newcastle. Evidence of this sort may be ignored, but cannot be refuted.

⁷⁸ Life of Cumberland, by Campbell MacLachlan, p. 293; Colonel E. M. Lloyd, R.E., 'Dict. Nat. Biog.,' s.v. William Augustus.

⁷⁹ Atholl MSS., Historical Manuscripts Commission, Report XII.; Appendix VIII.; Lyon in Mourning, i. 316, 317.

⁸⁰ Coxe's Pelham.

⁸¹ See details in the author's 'Companions of Pickle.'

⁸² Albemarle Papers, i. 331-337.

⁸³ See the author's 'Pickle the Spy' and 'Life of Prince Charles Edward Stuart.'

⁸⁴ Parliamentary Debates, ii. 81, 133.

APPENDIX.

THE DEATH OF KEPPOCH.

IN the text I have given an account of the behaviour of the Highland left wing at Culloden, derived from the official despatches, letters, and narratives of eye-witnesses, Jacobite and Hanoverian. In these first-hand contemporary records we find no indignation expressed against the conduct of the Macdonalds, and in the many statements by companions of Prince Charles in his wanderings he is never said to reproach the clan for their behaviour in the field. The well-known story that the delay, or refusal, of Keppoch's regiment to charge caused Keppoch to cry, "My God, have the children of my tribe forsaken me!" does not appear in print, to my knowledge, before it is given in the last volume of Scott's 'Tales of a Grandfather,' in 1830. (Slight variations in the phrase occur: the words were spoken in Gaelic.)

Though I do not find earlier than 1830 the report of these melancholy words, Home gives an account of the Death of Keppoch in his 'History of the Rebellion' (1802). Home writes:¹ "When the Macdonalds' regiment *retreated* without having attempted to attack sword in hand, Macdonald of Keppoch advanced with his drawn sword in one hand and his pistol in the other: he had got but a little way from his regiment when he was wounded by a musket-shot, and fell. A friend, who had followed, conjuring him not to throw his life away, said that the wound was not mortal,—that he might easily rally his regiment, and retreat with them. Keppoch desired him to take care of himself, and, going on, received another musket-shot, and fell to rise no more."²

Here Home does not say that the Macdonalds *refused* to charge from a feeling of injured pride, though, in a note, he indicates that this was their motive. Lord George Murray, as we saw, says that his left wing did not go in, "at least not sword in hand"; and we have quoted Cumberland's and Colonel Yorke's evidence, with that of Ker of Graden. The whole line advanced, but the left tried to draw the English fire before attempting a final rush through the fire zone. At Prestonpans the British had "fired too soon," says Murray of Broughton, and the left of the Prince's army at Culloden tried to make them do so again. It is especially to be noted that Home (who is misinformed) does not describe Keppoch as making his charge while his clan was facing the foe, and might be fired by his example. Keppoch advanced "*when the Macdonalds' regiment retreated.*" Whether Home wrote this on the evidence of letters or written reminiscences, or of oral communications, he does not inform us. That Home's account had not been *published* before he gave it, appears from a remark of Dr Angus Macdonald, of the Keppoch family, whose 'Family Memoir' was

written at intervals between 1801 and 1820. Dr Macdonald had heard tales of the Rising from "the few aged Highlanders of his clan who survived in Edinburgh. . . . Keppoch's name was a guard against almost every depredation in their various marches and sojournings." Dr Macdonald, from the time when he could read, had heard of the high character of Keppoch, especially from Lady Francis Wemyss and Sir James Stewart of Coltness, "but till John Home wrote his History [published 1802], I do not remember that any account of that accomplished man's heroic death *was ever given to the public as he has related it.*"³

Home gives no authority, nor does Sir Walter Scott, who says that Lord George Murray failed to make the Macdonalds charge,—an obvious error, as Lord George was fighting on the extreme right. Scott must refer to the Duke of Perth, who commanded on the left: of him does Home tell the anecdote that he vainly prayed the Macdonalds to advance. Scott goes on: "It was equally in vain that the gallant Keppoch charged with a few of his near relations, while his clan, a thing before unheard of, *remained stationary*. The chief was near the front of the enemy, and was exclaiming, with feelings which cannot be appreciated, 'My God, have the children of my tribe forsaken me!' At this instant he received several shots, which closed his earthly account, leaving him only time to advise his favourite nephew to shift for himself."⁴

Here Keppoch is not said, as by Home, to fall a devoted victim of honour in a desperate advance "when the Macdonalds' regiment retreated," but to rush on with a few of his kin, while his clan, still facing the foe, "remained stationary." In fact he led, in the usual manner, according to Scott, a charge in which he was not followed. Finding himself almost alone, he utters the reproach against his clan which Home does not assign to him, falls under several shots, and bids "his favourite nephew" shift for himself. The two accounts thus vary essentially, and both are erroneous, especially where they imply that Keppoch was deserted by his regiment.

Lord Mahon follows Scott: "In vain did Keppoch rush forward to the charge with a few of his kinsmen; the clan . . . would not follow: calmly they beheld their chief brought to the ground by several shots from the enemy; calmly they heard the dying words which he faltered forth, 'My God, have the children of my tribe forsaken me!' Thus they stood while the right and centre of their army was put to the rout, and then falling back in good order they joined the remnant of the second line."⁵

Here Lord Mahon, more mistaken than his predecessors, makes Keppoch utter his reproach *after* he fell, and his version is highly injurious to the whole clan. Neither Home, Scott, nor Mahon quotes the contemporary English despatches extant even in the patchwork book called 'Young Juba' (1748), and in the contemporary Histories of the Rising. Ker of Graden and Maxwell of Kirkconnell, eyewitnesses, are both neglected: neither of them describes the behaviour of the Macdonalds as unworthy. Hill Burton, who does not mention Keppoch, throws doubt on "the accusation against the MacDonalds, of having stood inactive, in their wrath about the question of precedence."⁶

The Messrs Macdonald, in 'Clan Donald' (ii. 665: 1900), represent Keppoch as advancing with drawn sword, exclaiming, "My God, has it come to this, that the children of my clan have forsaken me!" He rushes forward, "followed by a handful of his Lochaber clansmen, among whom were his brother Donald, who was killed, Angus Ban his son, and *Donald Roy Macdonald of Baleshare*. He had not proceeded far when he was struck by a musket-ball and fell. His

kinsmen then rallied round him, and endeavoured in vain to persuade him to leave the field, for he was not yet mortally wounded. He advanced once more, received another shot, and fell to rise no more. At this point his kinsman, *Donald Roy Macdonald*, rushed forward to help him, when the gallant chief, looking at him, said, "O God, have mercy upon me; Donald, do the best you can for yourself, for I am gone." No authority is cited. ('*Clan Donald*,' ii. 663.)

As will presently appear, we have the account given to Bishop Forbes by Donald Roy Macdonald, and it is not in accordance with the narrative of the Messrs Macdonald.

We now turn to accounts given in 1747-1748: first, we have a compilation, by an uncertain hand, of narratives from persons in London in 1746-47, of whom only one, Malcolm Macleod of Brea, was at Culloden. "From the centre to the left, they [the clans, including "*part of the Macdonalds*"] never got up to give their fire." Keppoch was next to the extreme left, held by Glengarry; "Lochiel and Keppoch, being both soon wounded in the advancing, were carried off, which their men observing, immediately they fled, which so alarmed all the corps to the left that they gave way in confusion." From this account it seems, and it is true, that the Keppoch men charged with the centre and right, Keppoch at their head. He fell, like Lochiel, and, like Lochiel, says the narrative, was carried off the field.⁷

If Malcolm Macleod of Brea was the source of this information, it is important. The Macleods are represented in a map of Culloden moor, which appears to be a more carefully designed copy of Colonel Yorke's, as stationed between the Mackintoshes on their right and the Macleans on their left; the Clanranald regiment was next, on the Maclean left, and then came Keppoch's regiment.⁸ It is certain that the Mackintoshes and the Macleans charged with desperate courage, losing heavily. The Macleans, writes Lochgarry, "would have been about 200. . . . I believe 50 of their number did not come off the field."⁹

Granting, then, that Macleod of Brea is the narrator, and that the Macleods were posted, as on the map, so that the Macleans and Clanranald were between them and Keppoch's men, we learn that "*part of the Macdonalds*" did, and part did not, "get up to give their fire," and that Keppoch, like Lochiel, "was soon wounded in the advancing," and was, like Lochiel, "carried off." Their men "immediately fled," and "alarmed all the corps to the left, so that they *gave way in confusion*." This is all unlike Scott's version, "The three regiments of the Macdonalds were by this time [after Keppoch's fall] aware of the retreat of their right wing, and *retired in good order* upon the second line." The narrative, which may be Macleod's, thus indicates that Keppoch fell wounded in the general charge, and was carried off, but in no way suggests that he had reason to complain of being deserted by his clan.

We now come to the evidence of Captain Donald Roy Macdonald, a brother of Hugh Macdonald of Balishair, in North Uist, and a cadet of the House of Macdonald of Sleat. Donald Roy was a great maker of Latin verses, was first in Keppoch's and later a captain in Clanranald's regiment. A month or two after the battle he composed a Latin poem, in which he says that he saw Keppoch fall, but gives no details. On January 12, 1748, he visited Bishop Forbes, and "gave me what follows," says the Bishop:¹⁰ "At the battle of Culloden, *in the retreat*, Captain Roy Macdonald saw Keppoch fall twice to the ground, and *knows no more about him*, but that upon the second fall, looking at Donald Roy Macdonald, he spoke these words, 'O God, have mercy upon me. Donald, do the best for yourself, for I am gone.'"

We have here the earliest recorded version, at first-hand, of Scott's story about Keppoch's farewell to "his favourite nephew" (*sic*), whom he bade to "shift for himself"; and of Home's "friend who had followed. . . . Keppoch desired him to shift for himself, and, going on, received another musket-shot, and fell to rise no more." We have here also the fact that Keppoch "fell twice," and we have his adjuration, "O God!" but no word of his being deserted by the clansmen of his name. But in Donald Roy's account, as in Home's, Keppoch falls "when the Macdonalds' regiment retreated," "in the retreat,"—not, as in Scott and Mahon, while his regiment faces the foe. Keppoch falls twice, and utters his unselfish words—"do the best for yourself"—after the second fall. The Messrs Macdonald, in 'Clan Donald,' as we have seen, represent Donald Roy as rushing forward to aid Keppoch when he falls in the advance, which is not the version given by Donald himself to Bishop Forbes. Donald candidly avers that he took Keppoch at his word, and did not stay to assist in carrying him off the field.

Donald, "in walking off the field," was struck by a bullet from behind, which went in at the sole and out at the buckle of his shoe. As he pursued his flight, he passed another Macdonald, of Belfinlay, who had probably fallen early in the advance, and had both his legs shot through,¹¹ "and was betwixt the fire of the English and that of the few French troops that made some resistance after the Highlanders were routed." Belfinlay attests¹² that Donald Roy spoke to him with pity as he lay, but could not help him, being himself wounded. "The big bones of Belfinlay's legs" were shattered above the ankles, by grape-shot, as he said, and a piece of iron was extracted.¹³ The evidence suggests that the Macdonalds advanced under a heavier fire than has been supposed, while the French tried to cover their retreat. Donald Roy was, later, in Skye, of great service to the Prince in the crisis of his distresses.¹⁴

I now examine the version of a compilation styled 'Young Juba, or the History of the Young Chevalier. . . . Translated from the original Italian published at Rome by Mr Michell, formerly Secretary to the Old Chevalier. London, 1748.' The early date, 1748, alone makes it desirable to notice this volume. Michel Vezazi was a servant of Prince Charles,—his *valet de chambre*, says Johnstone.¹⁵ The patchwork text scarcely even pretends to be by Michel Vezazi. In describing Culloden, the author, following an English source, speaks of the Prince's army as "the Rebels," says "*we* gave our men a day's halt at Nairn," and "*our* advanced guard was composed of about 40 of Kingston's horse. . . ."¹⁶ In the following page the author prints, with acknowledgment (p. 199), much of Cumberland's despatch of April 18, 1746! He describes the attack of the Highland left in Cumberland's very words: "They came down three several times within a hundred yards of our men: . . . after these faint attempts they made off. . . ."

The author represents old Glengarry as receiving the Prince, after the battle, "in the most handsome manner" (p. 233). We know that Invergarry House was empty, and that a salmon was caught for the breakfast of the fugitives by one of themselves.¹⁷ Lochiel, three days later, "came to Glengarry, where he met his unhappy master" (p. 234). This is notoriously false: Charles had retired to Glenpean, and never met Lochiel again till August 30.¹⁸ Finally, Mr Michell's account of Keppoch is that, "being wounded in the very heat and fury of the battle, two [of his clan] took hold of his legs, a third supported his head, while the rest posted themselves around him as an impenetrable bulwark, and in that manner carried him from the field, over the small river Nairne, to a place of safety" (p. 234). All this although, according to the author, the Highland left

wing took no part in "the heat and fury of the battle," but "made off" after three "faint attempts." Mr Michell represents Charles and Lochiel as hearing of Keppoch's fall at Glengarry, three days after the battle, where they held, on April 19, a meeting borrowed from the actual Muirlaggan meeting of May 8, at which Charles, of course, was not present.¹⁹

The book of 'Young Juba' is, in fact, incoherent, false, and self-contradictory, but the compiler has heard that Keppoch fell "in the heat and fury of the action," that he was not deserted, but surrounded by his whole regiment, and that he was carried to a place of safety across the Water of Nairn. If any or all of these statements in 'Young Juba' be correct, it is by accident. The impudent author makes the Prince stay with Lochiel for several weeks, apparently after his flight to the isles, and go to Keppoch House, where he and Lochiel meet the clan, "just returned from Keppoch's funeral"! (p. 246). Three days later the Prince "set out for the isles." He really set out on April 26, and never went near Keppoch House after Culloden.²⁰

I now offer the reminiscences of an eyewitness, Angus Ban MacDonell, a son of Keppoch, who fought at Culloden. He was then twenty years of age, and his reminiscences were recorded in writing by his son John, grandson of Keppoch. I owe the passage, with other information, to Miss Josephine MacDonell of Keppoch, who has kindly given me much valuable aid. The passage is written in an answer to queries by an historical student, apparently Dr Gregory, author of the 'History of the Highlands.'

NOTES OF JOHN MACDONELL, SON OF ANGUS BAN, AND GRANDSON OF KEPPOCH.

"10. *Query*.—Keppoch was vexed that they hesitate, and called out, '*Mo Dhia, an do threig Clann mo chinnidh mi*' (My God, have the Clansmen of my name deserted me); he rushed in front of his own regiment, and before he had gone very far he received a musket-shot. *The rest of the Macdonalds were advancing too*, but it was not that shot that killed him, it was the second shot that was mortal.*

"14. When they were carrying Keppoch off the field my father said there was a lad from the Braes to bring his own father away too, badly wounded, and when the man saw it was the chief, he made his son put him down, as he was gone anyway, and help to save the body of the chief. They brought him to a bothy at some distance away, thinking he would be safe from the dragoons, and that they could dress his wounds, but he was dead by the time they laid him down. There were a number of other wounded men in this bothy, and some were dead; and it was later set fire to by the orders of the brutal Cumberland. . . .

"15. The sword and the dirk have not been found; † my father took them from Keppoch's body before he left the bothy, and carried them all the time he was making his way to the Braes till he came just above Keppoch, and as he was closely pursued he plunged them one after the other into the moss as far as his arm could reach, while he kept going on, and he thought he knew the spot, but

* "They hesitate" and "the rest of the Macdonalds" are understood to refer to the whole clan, not to Keppoch's command.

† The dirk-blade has since been found.

he could never find it again. They would likely sink deeper in the bog, unless a stone stopped them. A search has often been made since, but not a trace has appeared.

“The Keppoch clan were the last to lay down their arms.”

These notes are reminiscences of the conversation of Angus Ban, and must be understood in the light of sworn legal depositions, which I proceed to give. The evidence is of July 24, 1752, and is the basis of a judicial decret (1756) in favour of Ranald MacDonell, Keppoch's son, for the evidence was accepted as proving Keppoch's death *before* his forfeiture. Ranald was therefore reinstated in lands held under the Duke of Gordon.

Register of EXCERPT FROM DECRET SUSTAINING THE CLAIM OF RONALD MACDONNELL
Decrets
(Mackenzie's TO THE PROPERTY OF THE LANDS OF AUCH-NA-COAHINE AND OTHERS.
office),
vol. 482.

10th January 1756.

Record here. The Decreet narrates, *inter alia*, that James Macdonnell of Keilachomet, John Mackennier in Auchlorach, Angus Ferguson in Keppoch, and John Macdonell in Blairour were summoned as witnesses, and “appeared severally upon the twenty-fourth of the said month of July [1752], in presence of the Lord Justice-Clerk, Lord Ordinary on the oaths and witnesses, and the said James Macdonell being solemnly sworn, purged, and interrogate, He deponed that he was with Alexander Macdonell of Keppoch at the Battle of Culloden, and observing him wounded in the right arm, the Deponent took hold of him, and as they were retireing, Keppoch received a shot tharrow the Back, upon which Keppoch fell, and the Deponent then left him lying on the ground; but the Deponent upon reflection, after he had gone a few paces, returned back to see whether Keppoch was alive or dead, and found him dead, where he fell, and thereupon the Deponent left him. Deponed then, the Deponent told to many persons, immediately after the Battle, that Keppoch was killed, and that he left him dead in the field of Battle, and amongst others told it to John Macdonald in Blairour. Deponed that he has heard it rumoured in Neighbouring Countries that Keppoch was alive after the Battle of Culloden, and that he had been carried off the field by the Argyle Shire Militia, but he knew it to be false from what he had seen himself, and that none of Keppoch's friends gave credit to any such report. Deponed that Keppoch's Lady was brought to bed on Sunday before the Battle of Culloden, which happened on Wednesday the sixteenth of Aprile one thousand seven hundred and forty-six, And that the Deponent in his way returning home after the Battle told her of her husband's being killed, for which he was reproved by severall of Keppoch's friends, Considering the situation the Lady was then in *Causa scientie*.

The Deponent was a Captain in Keppoch's Regiment at the Battle of Culloden, and saw and did as above deponed on, and this was the Truth as he should answer to God. The said John Mackennier being solemnly sworn, purged, and interrogate in the Irish language by Lauchlan Grant, writter in Edinburgh, sworn Interpreter appointed by the said Lord Ordinary, in respect the witness could speak no English, Deponed that he, the Deponent, was a soldier in Keppoch's Regiment, and was in the Battle of Culloden in the Company commanded by Macdonell of Tulloch, and as the Deponent was retireing from the Battle he observed Keppoch lying upon his face on the field, and the Deponent raising Keppoch up a little

found he was dead, and perceived that his right arm was broke, and that he was wounded tharrow the Body, about the right pape, and observed some blood about his brows, but perceived no wound there, and thereupon the Deponent went off and left him. Deponed that the Deponent heard it rumoured in neighbouring Contries that Keppoch was alive after the battle, but that the Deponent knew it to be false, *Causa scientie patet*, and this was the Truth as he should answer to God, and deponed he could not write. The said Angus Ferguson being also solemnly sworn, purged, and interrogate in the Irish language by the said Lauchlan Grant, sworn Interpreter appointed as aforesaid in respect the witness could speak no English, Deponed that he, the Deponent, was servant to Keppoch at the Battle of Culloden, and acted as a Serjant in his Company, and in time of the action he observed Keppoch receive a wound in his right arm, and at the same time Keppoch, observing his Brother Donald, who commanded a Company that day in Keppoch's Regiment, advancing with his Company beyond the line of Battle towards the King's Troops, Keppoch sent the Deponent with a message to his Brother Donald desiring him to keep in the line with his Company, and the Deponent returning in a few minutes found Keppoch lying Dead upon the field much about the place where he left him; and the Deponent, taking hold of Keppoch as he was lying with his face downward, observed that his right arm was broke, and that he was shot in the Body below the right pape. Deponed that he told no Body after he returned from the Battle for some time, that Keppoch was killed, and his reason for so doing was that he understood Keppoch's friends were angry with Mr Macdonell of Keilachomet, a former Deponent, for acquainting Lady Keppoch of her husband's death, because of the Lady's situation at the time, she being in child-bed. Deponed that he has heard it reported in Neighbouring Countries that Keppoch was alive after the Battle, but that the Deponent knew the report to be false and without any foundation, *Causa scientie patet*, and this was the Truth as he should answer to God, and Deponed he could not write. And the said John Macdonell in Blairour being also solemnly sworn, purged, and interrogate, Deponed that he, the Deponent, was an officer in Keppoch's Regiment, and was present and in the action at Culloden, That immediately after the Battle was over he was told by Mr Macdonell of Keilachomet that Keppoch was killed and left dead on the field, and Deponed that he saw Keppoch that Day advancing upon the head of his Regiment in time of the action towards the Regular Troops, and that he himself never saw him since, nor ever saw any other person that seed him, and that Keppoch's Lady and his friends believe that he was actually killed on that Day. Deponed that the Deponent has heard it rumoured in neighbouring Countries that Keppoch was alive after the Battle of Culloden, but the Deponent believes the Report to be false, and has reason to believe so. Considering he lives near to Keppoch's house, and his connection with the family, that if Keppoch was alive it would not have been concealed from him; and further Deponed that severall others besides Mr Macdonell of Keillachomet told him that they saw Keppoch dead in the field, *Causa scientie patet*, and this was the Truth as he should answer to God. Which oaths of the said James Macdonell and John Macdonell are signed by them respectively and the said Lord Ordinary. And the oaths of the said John Mackennier and Angus Ferguson are signed by the said Lauchlan Grant and the said Lord Ordinary, as the said oaths extant in process bears." Claim to lands sustained.*

* The place-names are Keilachomet=Killachonate, or Kilachonat; Auchlorach=Achluchrach; Blairour=Blarour. Mackennier may be Macinnies.

From this unimpeachable testimony, candid as it obviously is, we see that, at the moment of his first wound, Keppoch was leading on his whole regiment. It follows that his famous words, "My God, have the clansmen of my name deserted me!" as quoted in the reminiscences of Angus Ban, given above, must have been spoken during a moment of hesitation, when orders to advance were first given. The words had their natural effect. The clan followed their chief into the fire zone, and one company, that of Keppoch's brother Donald, even needed to be checked, so as to preserve "the line of battle." At that moment Keppoch's right arm was shattered: he gave, however, the command to keep the line. But the effects of the heavy round musket-bullet, or grape-shot, half paralysed him, and Macdonell of Keilachomet was supporting him for a few steps towards the rear, when he fell, mortally wounded. As his son says, "it was the second shot that was mortal." He does not, as far as his words are reported, say that the second shot was received in a second attempt to advance.

Apparently the kinsmen of Keppoch perceived sparks of life in him, which the three witnesses of 1752 failed to discover. They bore him to a hut, but he was dead when they left him there. The clan bard thus sings:—

LAMENT COMPOSED TO KEPPOCH, KILLED AT CULLODEN, BY HIS OWN
BARD, ALASTAIR CAMERON IN DOCHANASAI DH.

Literal Translation.

1st Verse. A fortnight before the first of May
Misfortune [or loss] fell sorely upon us,
As we were marshalled in rank
Against an enemy on a height.
We left the Chief of the Braes *
On the field of Battle without breath of life,
And none of his relatives to staunch the blood of his wound.

Last Verse. Painful to me the scattering
That overtook the army of the North,
And not the least cause of my sorrow
Among the losses we sustained
MacRanald † of Keppoch
(Who was no weakling in his harness of steel,
A most intrepid leader of men):
Cause of the shock of sorrow his being in the grave.‡

* The Braes of Lochaber. † The patronymic of the chief. ‡ Grave is used figuratively.

The poem is translated by Miss Josephine MacDonell, who kindly communicates it. I need not give the copious contemporary evidence as to that general disbelief in Keppoch's death which is attested by the witnesses of 1752. The actual truth is now plain, and the Keppoch Macdonalds are entirely cleansed of the charge of deserting their chief in the action. It is evident that the clan charged with the chief, and that the company of his brother Donald (who also fell in fight) even outran the line. From Mackennier's evidence it is clear that,

as Keppoch's body was discovered by him "when retireing," the advance continued after the chief was down. To account for the casualties in the advance, as the infantry of the enemy did not fire, we must accept the evidence that grape-shot was galling the Highland left. Scothouse, with twenty of his following, also fell, as we learn from the Memoirs of one of the family. With Scothouse, Keppoch, and his brother down, the advance ceased. The discrepant evidence of Donald Roy Macdonald must be due to confusion of memory—though, as he testified four years before the witnesses of 1752, he had little excuse for inaccuracy—or to some other cause, about which we can only conjecture.

¹ Home, p. 239.

² Home, p. 239.

³ A Family Memoir of the Macdonalds of Keppoch, by Angus Macdonald, M.D. : 1885.

⁴ Tales of a Grandfather, Third Series, chap. xxiii.

⁵ Mahon, iii. 437 : 1839.

⁶ History of Scotland, viii. 490, 491.

⁷ The Lyon in Mourning, i. 67, 68.

⁸ King's Maps, British Museum, II. Tab. 48 (22).

⁹ Blaikie, p. 121.

¹⁰ The Lyon in Mourning, ii. 4-6.

¹¹ The Lyon in Mourning, ii. 4.

¹² The Lyon in Mourning, ii. 248.

¹³ The Lyon in Mourning, ii. 230.

¹⁴ The Lyon in Mourning, ii. 20.

¹⁵ Johnstone, p. 2.

¹⁶ Young Juba, p. 199.

¹⁷ Blaikie, p. 46, note 3; The Lyon in Mourning, i. 191, 321

¹⁸ Blaikie, pp. 46, 68.

¹⁹ The Lyon in Mourning, i. 88; Home, p. 384

²⁰ Blaikie, pp. 46, 47.

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 ERRATUM—VOL. III.

- P. 129, l. 13. "Sibbald and Rollock . . . were treacherous and had deserted." This is an error as to Rollock, caused by a misreading of Wishart, p. 77. Rollock was thoroughly loyal, and (cf. *infra*, p. 161) sealed his faith with his blood on the scaffold.

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